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A HISTORY OF SCOTLAND

James VI.

A HISTORY OF SCOTLAND

FROM

THE ROMAN OCCUPATION

35179

BY

ANDREW LANG

B 2099

IN THREE VOLUMES—VOL. II.

WITH A FRONTISPIECE

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SECOND EDITION

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PREFACE TO SECOND EDITION.

IN this impression a few corrections have been made, and the author has tried to profit from certain marginal *adversaria* by Dr Hay Fleming. Had they been more numerous the book would have benefited the more.

On one point which might be disputed the writer cleaves to his opinion. On pages 123, 124, Knox is said to have "broken the rules of his own Book of Discipline." The circumstances were as follows. Knox was "assured" that "the Queen had daunced excessively till after midnycht, becaus that she had receaved letteris that persecutioun was begun agane in France, and that her Uncles war begyning to steir thair taill, and to truble the hoill Realme of France." Upon this news Knox preached a sermon which the Queen, judging by the reports that it was a personal attack on herself, took ill, so she sent for the prophet.[1] She said "Yf ye hear anything of my self that mislykis you, come to myself and tell me, and I shall hear you."[2]

I maintained, and maintain, that Mary was right, and that, if Knox had any business with the matter, he should have used private admonition, not a public sermon. The words of the Book of Discipline are: "Yf the offence be secreit and knawin to few, and rathir standis in suspitioun than in manifest probatioun, the offender aught to be privatle ad-

[1] Laing's Knox, ii. 330, 331.

[2] *Op. cit.*, ii. 334.

monischeit to abstene from all appearance of evill." Mary's "offence" was dancing, probably in her own house. The "suspitioun" was that she danced because her uncles began to stir their tail, persecute, and so on. The Book of Discipline goes on: "Gyf the cryme be publict, and suche as is haynouse, as fornicatioun, drunkynnes, fechting, commoun sweiring, or execratioun, then aucht the offender to be callit in the presence of the Minister, Elderis, and Deacounis," and there admonished.[1]

Mary was not accused of fighting, drinking, fornicating, or swearing—on this occasion. Knox took neither of the courses prescribed in the Book of Discipline. On the reports and suspicions brought to him he preached a public sermon. By his own account of it (ii. 331, 333) he put an hypothetical case. He did not "utterly damn" dancing, if it did not interfere with duty, and if not indulged in by the performers "for the pleasur that thai tack in the displeasur of Goddis people." If they did *that* their reward would be "drynk in hell."[2] Knox (ii. 330) appears to have been certain that the Queen had thus sinned, and the inference is obvious. Instead of acting by the Book of Discipline, he had preached at his sovereign: the very practice which led to the troubles of Scotland.

[1] Laing's Knox, ii. 228.

[2] *Op. cit.*, ii. 333.

PREFACE TO FIRST EDITION.

THE number, variety, complexity, and importance of the events and characters of the Reformation and the reign of James VI. fill the present volume. Concerned with a period of less than a century, the volume is based on documents far more numerous than exist for the previous fifteen hundred years. After the accession of James VI. to the English throne (1603) the student loses the invaluable guidance of Mr Tytler, who lacked, indeed, the Spanish evidence first seriously explored by Mr Froude, but who is certainly, beyond all rivalry, the most learned and impartial historian of Scotland.

The present writer has made use of the printed Calendars and State Papers, and, in many cases, has had recourse to the original MSS. in the Record Office and the British Museum. Through the generosity of Father Pollen, S.J., he has had the advantage of using Father Stevenson's transcripts of the Cambridge MSS., for the most part once in the possession of the Regent Lennox. These have been more copiously employed by the author in his 'Mystery of Mary Stuart' (1901). To the kindness of the Earl of Haddington, and of Lady Cecily Baillie-Hamilton, the author owes his knowledge of the Sprot papers as to the Gowrie Conspiracy,—papers which he has edited for, and presented to, the Rox-

burghe Club. To the Rev. John Anderson, of the General Register House, and to Mr Gunton, Librarian at Hatfield House, he is very greatly indebted for assistance and advice; not less to Father Pollen; and on several points he has had the advantage of consulting Dr Hay Fleming and Major Martin Hume. He must also express his thanks to Mr Maitland Anderson and Mr Smith, of the University Library, St Andrews, and to Miss E. M. Thompson, who made many transcripts from the MS. Records, and helped in verifying references. The portrait of James VI. is reproduced by permission of the Curator of the Scottish Gallery of National Portraits, Mr Caw.

The author must apologise for any errors in fact which have escaped his attention, or are due to that subconscious bias from which no historical student can be free. In his opinion the hardships of the Catholics, after the Reformation, have been rather cavalierly treated by many of our historians, and he has therefore dwelt upon a point too much neglected. As Sir Walter Scott observed in a private letter, our sympathies—at the period here treated, and later—are apt always to be with the party which is out of power.

A. LANG.

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A HISTORY OF SCOTLAND FROM THE ROMAN OCCUPATION.

CHAPTER I.

FROM THE CARDINAL'S DEATH TO THE REGENCY OF MARY OF GUISE.

1546–1554.

THE first volume of this History ended when the great Cardinal Beaton died, butchered in his Castle of St Andrews. He fell in the hour of apparent victory: he had successfully resisted the feudal claims made by Henry VIII. to sovereignty over Scotland. In that resistance he had shone as a patriot, but he had also opposed, and to some extent dominated, the Scottish tendency towards Protestantism. As a friend of national independence, he had, no doubt, been chiefly animated by attachment to the interests of his Church, and that Church, partly by her corruptions, partly by the weakness which had made her the victim of the great Houses, was, in Scotland, doomed. For the next three years resistance to the English feudal claims to sovereignty over Scotland was to be maintained by a woman, by a priest, and by Arran, the wavering Governor. Henry VIII. was not long to outlive his murdered opponent, but Henry's contradictory aims, first to prove that the Scottish crown was his own, worn by "pretensed kings," next, to win the hand of the child, the "pretensed queen," for his son, were to be pursued by that scourge of Scotland, Hertford, under his new title of the

Protector Somerset.[1] Everything combined to make the Scottish resistance difficult. Thus the two Douglases, Angus and Sir George, displayed a double treachery so vacillating and profitless that it seemed rather the result of ingrained habit than of settled policy. The nobles would on one day defy England, and renounce all their engagements with her, and on the next would secretly renew their treasonable "bands." For a little money, Argyll—for weariness of his English captivity, Huntly—would abandon the patriotic attitude, only to assume it again on fair occasion. The residence of English garrisons, with their vernacular Bibles, at Dundee and on the Border, may have encouraged a genuine evangelical belief among the populace; among the gentry the same causes bred a hypocrisy which sickened even a Scottish spy. In a convention of the nobles at Stirling, within ten days after the Cardinal's murder, complaints of anarchy were heard. The rent-collectors of ecclesiastical landlords were being mobbed, and compelled to eat their summonses. Crowds of tenants were collecting to resist evictions by lay landlords. Arran was later pelted with stones by the women of Edinburgh, and driven to take refuge in St Giles' church.[2]

The first object of the Government, after the Cardinal's death, was to bring the murderers to trial, and to rescue St Andrews Castle, now a Scottish Gibraltar at English service. Knox illustrates the slender hold of law on Scottish minds by representing the action of Government as a mere piece of priestly and feminine vindictiveness. The Cardinal's death was "most dolorous to the Queen-Dowager, for in him perished faithfulness to France, and the comfort to all gentlewomen, and especially to wanton widows. His death must be revenged."[3] By "wanton widows" the Reformer means us to understand Mary of Guise, the queen-mother. What part would the Douglases take in the "revenge" of the man they had lately schemed (according to a report given by Knox) to destroy? Influenced, says the Reformer, by a desire to secure Beaton's rich abbey of Arbroath for Angus's bastard, George, they came to Court, and were the first to vote for the siege of the castle. The bastard, George Douglas, received the abbey, but had an uncertain tenure. Later he was concerned in the murder of Riccio, and in 1574 he became Bishop of Moray.[4] At the Convention in Stirling (June 2-11) the Douglases and other nobles renounced their bands with England, and the "godly purpose of marriage" between Mary and Edward VI. Arran nominally abandoned his claims to Mary's

hand for his son: hope, perhaps, he did not abandon. Twenty peers were chosen to form a monthly series of Councils of Four. Huntly accepted the Chancellorship, a "glorious young man," and a rival of Argyll. It was proclaimed that none should aid and abet the murderers in the castle. Wrecking of ecclesiastical property and buildings was denounced.[5] On July 1 Parliament met, and summonses for treason were urged, but later dropped, against Brunston and Macleod, who may have been intriguing with England. It was shown later that the "Castilians," the murderers in the castle, had failed to obey a summons for treason. Taxes were raised for the expenses of the siege of St Andrews Castle, which was to be prosecuted in turn by the forces of the kingdom arrayed in four territorial divisions. Henry VIII. was urged not to abet the murderers. Scotland desired to be included in the peace of Ardres (June 7) negotiated between France and England.[6] This inclusion does not seem to have been granted by Henry.[7]

Henry, in fact, was intriguing with the murderers. At the beginning of the siege in September he promised help, on the usual conditions, to the Castilians, as they were called. By October he was sending William Tyrrell, with six ships, to the relief of the hold.[8] In November the besieged sent to Henry an account of their situation. The Government despatched to England Panter, Bishop of Ross, and Adam Otterburn. The garrison sent Balnaves and John Leslie. The French Ambassador suspected the Archbishop of St Andrews and the Bishop of Ross of inclining to heresy.[9] On December 20, Henry, observing that the Castilians were being persecuted undeservedly, "straitly put at without desert," bade Arran abandon the siege. The Castilians, he said, were ready to forward the marriage of Mary with his son. While the whole force of Scotland was camped round Beaton's castle on the cliff above the Northern Sea, and was vainly battering walls and towers, or blockhouses, too strong for the weak and ill-served artillery, Arran was constantly present at the leaguer from September 19 to December 17. The Government was still pleading with Henry VIII. for the inclusion of Scotland in the peace with France, and apparently they pleaded in vain.[10] On November 26 Arran applied for aid to France; she was invited to insist, with threats of war, on the Scottish inclusion in the peace, and to send guns, engineers, and money. An English invasion was expected in February.[11]

Presently Arran discovered, or was deluded into a belief in, the futility of his attempts at a siege. For some reason, probably for

lack of ships, the sea lay open to the English provisioning vessels. The Scottish artillery from no point could command the castle, then of much greater extent westward than could be guessed from the existing ruins. On December 19 (?), an armistice or "appointment" was arranged—Knox says treacherously, and accuses the Laird of Mountquhanie, Sir Michael Balfour, father of the later notorious Sir James.[12] In point of fact, provisions were failing the garrison, hence their acceptance of a truce. The Castilians promised to hand over the castle as soon as a papal remission for the murder arrived. Till then they were to keep the hold, with Arran's son as hostage. Knox says that Arran's party did not mean to keep these articles.[13] Certainly the Castilians had no mind to keep their own word, and to hand over their fortress, as they frankly told Henry. They only wanted time to revictual the castle, and, with singular cynicism, asked Henry to move the Emperor to intercede with the Pope "for the stopping and hindering of their absolution."

The truce rejoiced "the godly," who had been comforted by the presence of the preacher, John Rough. During Arran's Protestant fit (1542-43) Rough was chaplain to that nobleman. He was "not of the most learned," Knox says, but his doctrine was "well liked of the people." They were soon to be reinforced by a yet more popular master of pulpit oratory, Knox himself. By betaking himself, with his pupils, to the castle (about April 10, 1547), Knox may have avoided the prosecution by the Archbishop of St Andrews, but he also definitely chose his part in the religious revolution.

A few sentences may here be devoted to the obscure previous career of a man who henceforward lives in the intensest light of history. Concerning his birth, family, and all his life till 1546 Knox says nothing. We know, however, that he was born in 1505, probably in the parish of Morham, near Haddington. From an account which Knox gives of his conversation with Bothwell in 1562, it appears that both of his grandfathers and his father "have served your lordship's predecessors, and some of them have died under their standards," the flag of the unruly Hepburns. Knox's ancestors were probably small farmers, like the ancestors of Burns and of many notable Scots. His parents educated him for the service of the Church. He was almost certainly trained at Haddington grammar-school, receiving "the elements of religious education

from his buik and prymar, and of Latin grammar from his Donatus," before proceeding to higher studies. In his seventeenth year he went up to the University of Glasgow, probably because Major, a Haddington man, was Principal. He did not take his Master's degree, and it is probable that at Glasgow he did not study for more than a year or eighteen months. His Greek and Hebrew were later acquired. From 1523, or thereabouts, till 1540 nothing is known about Knox. Documents of 1540-1543 prove that he was "Sir John Knox" (one of "the Pope's Knights"), and was acting as "minister of the holy altar," and as notary by apostolic authority.[14] He was also engaged in tuition at Samuelston, near Haddington, and probably "combined the duties of chaplain and of instructor of youth."[15] We hear no more of Knox till December 1545 and January 1546, when he acted as bodyguard to George Wishart. Whether this was the date of his first acquaintance with Wishart, or whether he had met him in Brunston's society earlier, we are not informed. Wishart's teaching fell in fruitful ground already prepared, as Knox had been for some time associated with Lothian lairds, who were "earnest professors of Christ Jesus." After Wishart's death Knox was sought for by the new Archbishop of St Andrews ("not yet desecrated"—*i.e.*, consecrated), and he had thoughts of seeking safety in Germany. At this period his ideas, like those of Wishart, were Lutheran rather than Calvinistic: he was not an enemy of the order of Bishops, though no believer in Apostolic Succession. We shall see later that he only refused an English bishopric because of his "foresight of evils to come" under Mary Tudor. Knox's ideas of the obedience owed by subjects to kings were also at this time in accordance with Luther's teaching; he adopted later the revolutionary doctrine of Calvin.[16]

In place of fleeing to Germany, Knox was moved by the Protestant parents of his pupils to seek refuge in the Castle of St Andrews. He "lap into the castle" at Easter (April 10) 1547, during the truce. The pardon from Rome appears to have arrived rather earlier. Meanwhile the castle and town held open intercourse. The company of assassins displayed, as Mr Hume Brown says, a "strange commixture of unbridled vice and earnest religious feeling," a phenomenon familiar among the banditti of Italy. "*All* those of the castle . . . openly professed, by participation of the Lord's Table, in the same purity that it is now adminis-

tered in the churches of Scotland."[17] The ceremony called "fencing the tables" must have been omitted, for, as Keith says, the "Castilians ran into all the vices which idle persons are subject to. . . . Whoredoms, adulteries, and depredations with fire and sword" are included. This "corrupt life," as Knox calls it, was not abated by the sermons which he presently began to preach. He had already catechised his pupils—"he read unto them a catechism"—in the parish church of the Holy Trinity, in South Street. He also lectured on the Gospel of St John in the chapel of the castle. He was presently called on by John Rough, hitherto the chaplain of the unruly castle congregation, to take on himself the office of preacher. He wept, under a sense of the solemnity of the occasion, his "only consecration to his office." Next Sunday, in a sermon, he "identified the Church of Rome with the Man of Sin, with Antichrist, and the Whore of Babylon." His authority was the seventh chapter of Daniel and "the New Testament." The Archbishop bade Wynram, the sub-prior, interfere; but Wynram (the Vicar of Bray of Scotland) merely disputed feebly with Knox, while a Franciscan friar collapsed under the logic and eloquence of the Reformer. Henceforth he preached effectually on week-days, the parish pulpit being occupied by "Baal's shaven sort" on Sundays. But Knox's preaching cannot have lasted for more than a month or two.

During the truce Henry VIII. had died (January 28, 1547), and Francis I. had followed his old rival (March 31, 1547). On the coronation of Henry II., d'Osel, or d'Oysel, was sent to Scotland; he was *a secretis mulierum*, says Knox—another stroke at Mary of Guise. In England the Protector, Somerset, was still intriguing with Balnaves, who was to bring over the Scottish nobles to the English marriage of Mary. On March 11, at St Andrews, the fickle Lord Gray came into the project.[18] What Gray wanted was the command of Perth, which he would hold for England. Broughty Castle also he promised to betray to them. On the Border Wharton had entrapped the Laird of Johnston, by burning Whamfray and catching the laird in an ambush as he rode to the rescue. Three spears were broken on his armour.[19] Langholm was Wharton's hold; an attack on the English in Langholm was, therefore, meditated by Arran in March, while ships from Holy Island were revictualling the Castle of St Andrews, and English ships captured the Lion, a Scottish vessel. In July Arran mustered a great army, "the

starkest since Flodden," and marched to the Border. The absolution for the slayers of Beaton had arrived before April 2. The besieged mocked at it; "they would rather have a boll of wheat than all the Pope's remissions."[20] *

But the end of the reign of the Castilians was at hand. While Arran, with a great force, was operating round Langholm on the Border, French galleys were passing northwards along the east coast (July 6). Knox writes that these galleys came round the point into St Andrews Bay "upon the penult day of June," and that the siege lasted for a month.[21] But there must be some error. Knox describes the papal remission as shown to the garrison on June 21. We have seen that it was mocked at before April 2. The garrison's technical objection, that the words "we remit the irremissible" were not acceptable, may have been an afterthought, taken later, in June. Knox avers that the Castilians successfully battered the galleons, and that the castle was not invested by land till Arran arrived from the siege of Langhope on the Border. "The trenches were cast, ordnance was planted upon the Abbey Kirk, and upon St Salvator's College, and yet was the steeple thereof burned." Pitscottie says that an Italian engineer in the employ of the Castilians abandoned hope when he saw the French guns "coming down the street alone," drawn by some mechanical arrangement of pulleys. Knox demoralised the garrison by prophesying their fall, their walls "should be but eggshells," "their corrupt life would not escape punishment of God." On the night of July 29, he says, a great breach was effected between the fore tower and the east blockhouse. The castle was surrendered to Leo Strozzi, Prior of Capua, on the last of July, after an interview between Kirkcaldy and the French commander.

The terms of capitulation are uncertain. Buchanan avers that the garrison bargained only for their lives, "incolumitatem modo pacti." To this Knox (who certainly ought to have known) adds that they were all to be carried to France, while such of them as desired not to "remain in service and freedom there" should be transported to any country except Scotland. They would not acknowledge Arran or any Scottish authority, "for they had all traitorously betrayed them."[22] Mr Tytler does not think that the terms of surrender were violated, and, though Knox ought to have known, his version is frequently contradicted by contemporary

* See note at end of chapter, "The Absolution and the Siege," p. 20.

papers. The French razed the castle, lest it might fall into English hands. The existing ruins represent the new castle built by Archbishop Hamilton, whose cinqfoils adorn the wall. The contemporary diarist declares that spoil to the value of £100,000 was carried away. Their chief captives the French warded in castles: Knox, with the sons of the detested Laird of Mountquhanie (including Sir James Balfour, later notorious), was sent to the galleys. The adventures of Knox and his companions are later to be touched upon; meanwhile the chief English hold on Scotland was lost, and the most ardent revolutionaries were out of the battle.

Yet Arran's burden was not lightened. He had to face black treachery at home and open preparations for war on the part of England. That Gray and Glencairn were already traitors we know from their letters. Gray, whom the Cardinal had but recently rewarded for his loyalty to the Church, had been bargaining, we saw, to hold Perth for England, and to deliver up Broughty Castle on the Firth of Tay. This important point, commanding the estuary of Tay and the town of Dundee, was presently seized and long held by England. Glencairn, in July, had offered to raise 2000 "assisters and favourers of the Word of God" for English service.[23] There were hundreds of "assured Scots" among the nobles and gentry, and Arran knew it. On August 18 the Laird of Langtown wrote to Somerset, "My Lord Bothwell, and many other lords, lairds, and gentlemen, is in as much danger as ever, on account of a Register book found in Master Balnaves' chamber in the Castle of St Andrews, and now in the Governor's custody, with their names and handwriting to support England." There were two hundred of these patriots, all enrolled, including the Earl Marischal, Cassilis, Sir George Douglas, Kilmaurs, and Lord Gray. Bothwell had offered to betray Hermitage Castle in exchange for a rich English marriage.[24] So much for domestic treason among the godly and the worldly. In England the despatches of de Selve show that great preparations for war had long been making: on July 23 he describes the English plan of campaign.[25] Somerset was bidding Warwick to muster "the army appointed to invade Scotland at Newcastle" on August 24. Seventy or eighty ships and transports were engaged. The army was of 15,000 men.[26] The traitor Ormistoun informed Somerset that the priests were to send round the Fiery Cross as soon as the Protector crossed the Border, a rare example of this Celtic practice in the Lowlands. Arran, said Ormistoun, would make his

stand at the Peaths, a deep ravine cutting the road north of Berwick (September 2). Probably Ormistoun's letter arrived too late: Somerset entered Scotland on the very day when the renegade wrote.[27] But he did not find Arran guarding the dangerous defile. His forces were summoned to Fala Moor for the last of August, when, Glencairn says, but few came in. At this moment Angus was promising to join Lennox and Wharton if they invaded by the west. He did not join them: he fought for Scotland, and, months later, when they returned, after renewed promises on his part, he helped to defeat them.[28]

Somerset prosecuted the rough wooing with a force of some 16,000 men, while a large fleet attended his progress along the east coast, and Lennox with Wharton was gathering on the western border. Under Somerset the leaders were Warwick, Dacre, Grey of Wilton, and Sadleyr as treasurer. Sir Francis Bryan led 2000 light horse, Sir Ralph Vane commanded 4000 cavalry. Sir Peter Mewtus was at the head of 600 musketeers, or hackbut-men, on foot, and Gamboa, a Spaniard (the Scots had no musketry), was captain of 200 mounted musketeers. Fifteen pieces of heavy artillery were brought into the field, with more than a thousand carts and waggons. The discipline and commissariat were excellent. Yet Somerset "dreamed a weary dream." He fancied that he returned to Court, and was heartily welcomed by Edward, "but yet him thought that he had done nothing at all in this voyage." His dream was fulfilled. He won a great victory; but, as far as his purpose went,—the subjugation of Scotland and the marriage,—he did "nothing at all."[29]

It was on September 5 that the invaders reached "the Peaths," a deep and narrow ravine of six miles in length, which cut the road at right angles. Direct descent and ascent were practically impossible, a series of paths, worn by wayfarers, ran obliquely down the southern and up the northern side of the dene. The Scots ought to have held this defile; but either because they were not fully mustered, or because Arran knew the treachery of the local barons, they had merely tried to break the paths. The army crossed easily, and were unopposed. On the 8th September Somerset was at Prestonpans. On the 9th his cavalry cut to pieces the Scottish light horse. The Protector then reconnoitred from Faside hill: he saw the Scots camped, in four divisions, "like four great fields of ripe barley," in an excellent position. On the south they were flanked by a great marsh, on the east the river Esk protected their

front. Their left leaned on the Forth. Somerset determined to occupy with artillery the round hill crowned by Inveresk Church, which commands the river. On his return to camp, says Patten, a judge-martial who was present, Somerset met a Scottish herald, and rejected a challenge from Huntly, and an offer, on Arran's part, to let him retire in peace, on honest conditions. Now Pitscottie and Buchanan aver that during the night Somerset offered to retire, if the Scots would keep Mary at home till she was of nubile years, and then let her choose if she would accept the English wedding. Arran and Archbishop Hamilton, it is said, not only rejected the offer, but spread a report of a provocative and truculent message. Thus their wickedness caused the Scottish ruin at Pinkie.[30] This report, unless Somerset changed his mind, is in contradiction with what Patten heard.

The fatal battle of Pinkie Cleugh occurred next day, Somerset being aided by his galleons at the mouth of the Esk. To tell the story briefly: Somerset, moving early to occupy Inveresk hill, was perplexed by finding the Scots across the Esk and nearer the hill. Instead of merely holding it in force, they pushed forward to cut between the English and the sea. The fire of a galleon from the mouth of the Esk scattered the archers of Argyll on the Scottish left, a very long, scarcely credible, range of fire, but well attested. Somerset now hurried his cavalry, in two divisions, to his left, to occupy Faside hill, while his foot, apparently concealed behind a ridge, marched in the same direction more slowly. It was a race for Faside hill between the English cavalry and the 8000 footmen of Angus. The English horse gained the ridge, and charged across a deep ditch and over ploughed land. The Scots met them in the old formation of Falkirk, defeated them, slew many, and shook the English confidence. Shelley fell, Lord Grey was wounded in the mouth. The Bulleners (Boulogne veterans) were cut up: there was a rout, the foot being broken by the flying horse. But the cavalry were re-formed: the ditch in the Scottish front was lined by English musketeers, the guns on Faside hill cut lanes through the Scottish ranks, which were also galled by archers. Just when the Scots gained a full view of the English infantry in position on the hill and plain, they had to face a fresh charge of cavalry. Their formation being shattered by musket and artillery fire, and by their own advance, they broke. The Highlanders were the first to flee. Arran took horse, Angus hid till he found a chance of escape.

The whole army, throwing down weapons and "jacks," ran in every direction. Some 10,000 were cut down: few prisoners were taken, the nobles, except Huntly, not being distinguishable by their dress. In Huntly, England had an important captive. Many priests were slain, and their sacred banner, the Church supplicating Christ, was given to Edward.

Never—no, not at Solway Moss—was Scotland so smitten and so disgraced. As later, at Dunbar, they abandoned a strong defensive position, and threw away the chance of destroying an invader. Angus is said only to have advanced in obedience to a threat of a charge of treason. In fact, the Scots thought that Somerset meant to embark his infantry, and make a rapid retreat with his cavalry. To prevent this they rushed on ruin.

Next day Somerset occupied Leith. The use he made of his victory was to seize Broughty Castle from the sea, to fortify Inchcolm, in the Firth, to ravage the country, and devastate Holyrood Abbey. On the retreat, at the end of a week, Hume Castle was taken, and Roxburgh Castle was repaired. Meanwhile, on the west Marches, Lennox and Wharton ravaged Annandale, took the church, which was defended, and burned the town.[31] As in his dream, Somerset had practically done nothing: he had merely strengthened the Scottish resolve never to accept the English marriage, and had confirmed the French alliance. After the defeat of "Black Saturday" (September 10), Arran with the Archbishop hastened to the queen-mother at Stirling. On September 16 (?), just before his retreat, Somerset ordered Norroy Herald to carry proposals to the queen-mother and the Council. The Protector has only come to Scotland "to forward the godly purpose of the marriage," and to say that if they will not yield to his amicable proceedings, he will accomplish his purpose by force.[32] The queen-mother now removed Mary to the Isle of Inchmahone, in the Loch of Menteith, "half-way between Stirling and the Highlands."[33] How long the child stayed there is uncertain, assuredly not later than February 1548. Her "child's garden" has been commemorated, but from October to January there is little opportunity for horticulture.[34] Mary was safe enough, despite attempts by Grey of Wilton on the loyalty of Sir George Douglas, who, on October 9, promised Grey that he would try to put Mary in his hands for a reward.[35] Sir George was offering schemes for an English invasion, but Somerset saw through his purpose of destroying the invading

force. By November 5 the Laird of Longniddry, a spy, informed Somerset that the Scots had sent an envoy to France, and schemed to carry thither the child queen.[36] Indeed by October 23 a French gentleman had turned Arran and the queen-mother from a purpose, negotiated by Glencairn, of accepting Somerset's proposals.[37] While French aid was being asked and prepared, the chief scenes of military operations were Dundee, Broughty Castle (held by Warwick's brother, Sir Andrew Dudley), and Buccleuch's country on the Border. Between October 1547 and February 1548 many strange examples were given of the mixture of Protestant piety, perfidy, and ambition. On the whole, it seems that the populace, as far as it was touched by Protestantism, remained staunch and single-hearted, while most of the Reforming gentry and nobles were hypocritical self-seekers. On October 27 the burgesses of Dundee, overawed by Dudley in the adjacent Broughty Castle, bound themselves to be "faithful setters forth of God's work."[38] Arran, in Edinburgh, was unpopular: "the wives" (anticipating Jenny Geddes) "were like to have stoned him to death."[39] Doubtless they blamed him for the slaughter of their husbands and sons at Pinkie. Fife, Angus, and Dundee called out, Dudley says, for Bibles and Testaments. "Yet," writes a spy, "it makes one sore to see these gentlemen feigning themselves favourers of 'The Word of God,' more for your pleasure than for God's sake." Hypocrisy that sickens a spy must be odious indeed.

The next really important move in the game was the arrival of a large French force, under André de Montalembert, Sieur d'Essé, in June 1548. This was the result of many petitions by the queen-mother. The winter after Pinkie fight, and the spring, had seen Argyll besiege Broughty Castle, and withdraw, promising to aid the English marriage, for a bribe of 1000 crowns.[40] Broughty Castle, under Sir Andrew Dudley, had gallantly held out, and in February (21-27) a double invasion by Grey of Wilton in the east, and Lennox and Wharton in the west, had been ruined by a defeat inflicted on Wharton by Angus and Lord Maxwell. Grey later destroyed Sir George Douglas's house at Dalkeith, and took his son, the Master of Morton. He also fortified Haddington strongly, that being the chief object of his invasion, and it was at the abbey outside Haddington (July 7, 1548) that Parliament accepted the hand of the Dauphin for Mary, carefully securing Scottish independence. Dunbar was now placed in French keeping, but Mary of Guise exaggerated when she declared that the Estates "would

put everything into the hands of the King of France."[41] That was what France desired in vain, and soon it became apparent that jealousy of French domination would throw Scotland into the arms of England.

Mary had won the consent of Angus, Douglas, and Cassilis by the usual means. Arran had already been compensated by the Duchy of Châtelherault (February 8, 1548). Huntly and Argyll received the Order of St Michael.[42] Yet both in March 1549 will be found negotiating with England "to the end they may compel the French King to return the young Queen to Scotland," and undertaking to favour her English marriage.[43] Meanwhile the robberies and oppressions by the French soldiery, which led to bloodshed between them and their allies, increased the jealousy of French designs. After much scathe on either side, Haddington was relieved, and the siege broken up in the middle of August. By that date, leaving Dumbarton with her four child friends, the four Maries, on August 2, Mary was safely landed on the friendly French shores (August 13). Somerset retorted by again setting up the claims of Edward I.[44] The wars took a character of ferocity. Arran refused quarter to any Scot taken in arms for England.[45] Somerset retorted by a general refusal of quarter. The Scots were all rebels to "their superior and sovereign lord, the King's Majesty of England." Poor as they were, the Scots purchased English prisoners from French captors, and then tortured them to death.[46] Mary of Guise had often to complain of the excesses of the French. They seize farmhouses, and use the furniture for firewood. "Our peasants have no property, and never remain more than five or six years on a holding," a singular fact, but strongly corroborated.[47] Knox, who never omitted a chance of describing a grimly humorous situation, chronicles a great tumult in October 1548. On a trifling quarrel a riot arose in Edinburgh. The Provost and others were slain by the French. D'Essé, d'Oysel, and the queen-mother composed the strife by promising that the French would do a great feat of arms. They nearly surprised Haddington, when one of the besieged, shouting "Ware before!" to warn his own party, then struggling with the French at the East Port, fired two large pieces of artillery. These pierced the French ranks, cannoned off the wall of the church back into the assailing party, thence cannoned back through them again, off the wall of St Catherine's Chapel, back to the church wall again, and so on, "so often that there fell more than a hundred of

the French at those two shots only."[48] The incident is not mentioned in strictly contemporary accounts. Though the large force under Shrewsbury not only relieved Haddington, but was rewarded by the capture of Dundee and other successes, the Scots cut off a raiding party in Fife. Huntly returned to Scotland—according to Lesley, by escaping while his jailers were busy at cards at Morpeth.[49] De Selve's despatches are full of suspicions of Huntly's perfidy and double-dealing. Was he a patriot? Was he a traitor Scot? Probably he took each part by turns.

The Scots captured Hume Castle, and were reinforced by French soldiers under De Termes. Mary of Guise describes this leader as possessing, in the gout and a pretty young wife, quite enough to provide him with occupation.[50] Nevertheless, a force of French and Scots cut off and captured Sir John Wilford, the courageous captain of the English garrison in Haddington. Jedburgh and Ferniehirst were won on the Border, Inchcolm was recovered, and domestic discords broke out in England. Somerset had offended by what was called avarice and insolence: his lenity to agrarian insurrection made him suspected by the nobles. Warwick, having put down a rising in Norfolk, appeared as the rival of the Protector, who secured the person of Edward VI., but presently yielded to force or fear. The victor of Pinkie was conducted to the Tower; but his successful rivals were unable to retain the English hold on Boulogne. The Scots and French had already taken Broughty Castle and Lauder; the English were compelled to make peace in March-April 1550, and to abandon Boulogne and all their holds in Scotland.[51] The eight years' war had again demonstrated that England, when divided by domestic strife, and opposed by both France and Scotland, could never overpower her northern vassal. The clergy marked their opportunity by burning one Adam Wallace as a heretic.[52]

That this execution was as impolitic as cruel is obvious. "The common people" had now opportunities of reading and hearing the Scriptures. From these they could draw no conclusions except that the Christian doctrine, as exhibited in practice by priests as profligate as Hamilton, and by peers as treacherous as Angus, Huntly, and Argyll, was not the doctrine of Christ. Mere cruelty did not shock the populace. For a hundred and fifty years they were to behold the burning of witches without remorse or pity. But they feared and hated witches, whereas men like Wallace neither

had injured nor could injure them. While the English were occupying parts of Scotland, no Scot had suffered for his opinions. The people would therefore infer that England was a Power less cruel to the innocent than France. All this made in favour of the Reformation. It is true that Protestantism in England was also keenly engaged in burnings and persecutions. The Act of Uniformity was being enforced by Cranmer, Ridley, Latimer, Parker, Cecil, and others. Champneys, a priest who denied the divinity of Christ; Patton, a tanner; Thumb, a butcher; and Ashton, another Unitarian priest, were all tried: they all, unlike Wallace, abjured—they all burnt their faggots and saved their lives. But Joan Bocher was tried for similar opinions before Cranmer, Latimer, and others, was condemned, and, despite the tears of Edward VI., was burned in the year following the martyrdom of Wallace, as was Von Parris, a Dutch Unitarian.[63] In this matter of persecution there was then nothing to choose between England and Scotland, Hamilton and Latimer; they merely burned different sets of people. Yet a point so notorious is usually overlooked by historians of the Scottish Reformation. The true difference came out later. Persecutors as they were, the Presbyterians did not *burn*, and scarcely ever executed, either Catholics or Unitarians as such.

Denunciations of heresy had been made the year before Wallace's death, in a Provincial Council of 1549. Every ordinary in his diocese, every abbot and prior, was to make inquisition of heresy. Among the heresies noted, Unitarianism does not appear. For some reason it never was popular in Scotland. In the same Council the Church tried to put her own house in order. Priests were to dismiss their concubines. The medical advice of Jerome Cardan to the Archbishop of St Andrews proves that the Archbishop did not obey his own rule. Monasteries were to be visited and reformed: bishops were not to keep drunkards, pimps, gamblers (Lyndsay accuses Beaton of very high play), and buffoons in their establishments. There were other restrictions on a Church which, by its own confession, needed them badly. On the evangelical side, the Protestant teachers, like Adam Wallace (and unlike the ruffians and aristocrats of the party), were usually men of unblemished life. This contrast made a direct and natural appeal to the populace. Thus the Reformation gathered and grew, while the love of sheer destruction of "idols," or works of sacred art, and the pleasures of plunder, made a constant appeal to the passions of Knox's "rascal multitude."

The approaching day of doom had been hastened even before Wallace's death. In February or March 1549 Knox was released from the galleys, by April 7 he was in England. His fellow-captives of the castle garrison were set free by July 1550. Presently Knox was a licensed preacher at Berwick; there he abode for two years, for as many in Newcastle, and then was a year in London.[54] From Berwick his doctrine might readily be heard by Scots within easy distance of the Border.

Only one ingredient in the Medea's caldron of Revolution was quiescent, and that ingredient Mary of Guise stirred into activity. Leaving Scotland in September 1550, she visited France. Her professed object was to see her daughter. Her real aim was, by the aid of her kinsmen, the Guises, and the French Court, to obtain the regency for herself, and to oust Arran, who, to distinguish him from his son, Earl of Arran, must now be called Duke of Châtelherault. She was accompanied, says the 'Diurnal of Occurrents' (which misdates her departure, making it August instead of September 8), by Lord James Stuart, Queen Mary's natural brother, and many other nobles and clergy. She was received "as a goddess," and her companions were bribed, or magnificently entertained, according as we follow Lesley or the Venetian Minister. The letters of Mason, the English Ambassador to France, prove, or allege, that her stay with her kinsmen was not altogether happy. She arrived on September 25. Her nobles at once squabbled about their lodgings. The ambassador was gouty, and wished to return home "and die among Christian men." This disposition makes his temper crabbed. He announces that the French wish to appoint a French Governor of Scotland, to which the Scots will not agree. On January 28, 1551, the English Council sent to Mason a secret agent, recommended by the scheming Balnaves. He arrived on February 24, but was very timid, and provided, as a substitute for himself, young Kirkcaldy of Grange, who henceforth was deep in what may be euphemistically styled "secret service." His cypher name was "Corax." Mason suspected a French war on England; "it is already half concluded to send away the Queen of Scots with all convenient speed, and with her 300 or 400 men-at-arms and 10,000 foot."[55] Mary of Guise is hostile to England, and "is in this Court made a goddess." Yet the Scots (March 18) were grown home-sick. "The Scots mislike the yoke that foolishly they have put their head in" (April 22). By April 28 one Stuart was charged with an attempt to poison the young

Queen of Scotland. He was an archer of the Scots Guard, but, we may hope, he was not known to "Corax."[56] He had been one of the Castilians; like Knox he had rowed in the galleys. Mason reported his escape to Ireland (April 29). He was captured, and brought to Angers on June 5. Whether he was hanged, as Lesley says, or not, Dumas furnishes him with later adventures in the novel called 'L'Horoscope.'

Mary of Guise's return was said to be delayed by an intrigue of the French king with Lady Fleming, one of her suite. She arrived in England on October 22: she had an interview with Edward VI., who is said to have pressed his own suit for the hand of her daughter. By the end of November Mary of Guise was in Scotland again. During the queen-dowager's stay in France Henry II. had sent the Bishop of Ross and other envoys to Châtelherault, hinting broadly that he wished Mary of Guise to assume the Regency.[57] The emissaries found the Duke very reluctant to acquiesce. Nor did the change at once take place. The queen-mother and Arran visited the North (where the captain of Clanchattan had a year before been executed by Huntly), and inflicted various penalties on unruly Celts. In the South the blood-feud for Ker of Cessford had caused the death of Buccleuch in Edinburgh, when

> "startled burghers fled, afar,
> The furies of the Border war."[58]

This "unhappy accident" the Kers professed to deplore. The queen-mother soothed the various discords, and, secretly tampering with the nobles, undermined the power of Châtelherault.[59] The dowager's party proved the stronger. In a Parliament at Edinburgh on April 12, 1554, Châtelherault resigned the Regency to his rival. Says Knox, "A crown was put on her head, as seemly a sight (if men had eyes) as to put a saddle upon the back of *ane unrewly kow*."[60] Arran received an approval of his conduct in the Regency, a general amnesty for his actions, and a general acknowledgment of his financial rectitude.[61]

There was to be "a new world." The death of Edward VI., in July 1553, the accession of Mary Tudor, the consequent persecutions and returns to Scotland of Protestant Scottish refugees, and the conduct of Mary of Guise in selecting French and deposing Scottish Ministers, all worked to a single end. Scotland had ever detested the tenure of power by foreigners: Knox arrived to blow the

smouldering embers of Protestantism; and the circumstances that seemed to favour the Catholic cause resulted speedily in its downfall. "Bloody Mary" might ally herself with Spain: Mary of Guise might serve her own ambitious House: both might seem defenders of the Faith, but reaction was inevitable, and the Church was foredoomed.

NOTES TO CHAPTER I.

[1] That Henry asserted the feudal claims of Edward I. has been denied. The reader may consult the copious evidence for the fact in Mr Pollard's article on Somerset and Scotland, in the 'English Historical Review,' July 1898, pp. 464-472. At first Somerset kept the claims in the background.

[2] Privy Council Register, i. 27; Bain, Calendar of Scottish Papers, i. 34.

[3] Knox, i. 180.

[4] Privy Council, i. 57; Laing's Knox, i. 180, note 4.

[5] Privy Council, i. 22-27. [6] Act. Parl., ii. 466-480.

[7] Pollard, 'English Historical Review,' *ut supra*. Correspondance Politique de Odet de Selve, pp. 53, 54, 93. Paris: Alcan, 1888.

[8] Thorpe's Calendar, i. 59. [9] De Selve, 53, 54, 143.

[10] Odet de Selve, Correspondance Politique, pp. 66, 78, 86; Privy Council, i. 43. [11] Privy Council, i. 52-54.

[12] Knox appears to date this at the end of January 1547 (i. 182, 183). Compare Tytler, vi. 8 (1837), citing State Paper for December 17, and Thorpe, i. 60; Privy Council, i. 57, 58. Writing from memory, Knox was often incorrect in his dates, and in this and other cases, his error helps his argument that Arran was treacherous.

[13] Knox, i. 183.

[14] Proceedings, Scot. Society of Antiquaries, 1862, iii. 58.

[15] See Hume Brown, Life of John Knox, i. 59.

[16] Hume Brown, Knox, i. 94.

[17] Knox, i. 201. Knox declares that "so blessed were his labours," yet (i. 204) he denounced the "corrupt life" of his converts.

[18] Thorpe, i. 61.

[19] State Papers, Domestic, Addenda, 1547-1565, p. 323.

[20] Stewart of Cardonald, a spy, to Wharton. Calendar of Scottish Papers, i. 4.

[21] Knox, i. 203.

[22] Knox, i. 205, 206; Buchanan, xv. 45. Lesley says the terms *asked* were that the garrison should be *salvi cum fortunis;* but the terms *granted* were that, subject to the will of the King of France, the men only should go forth unharmed, *soli homines integri discederent* (Lesley, p. 461; Rome, 1578). If Knox's account of the terms is correct, they were not kept. Possibly Knox confused the terms asked for with the terms actually obtained. Mr Hume Brown ('Life of Knox,' i. 80) says that Buchanan's evidence confirms Knox's. The words of Buchanan, "incolumitatem modo pacti," seem to me to mean that they were merely promised their bare lives. Compare the use of *incolumitas* by Cæsar, De Bello Civili, iii. 28, and Tytler, vi. 17, note 1 (1837).

[23] Calendar of Scottish Papers, i. 10.
[24] Calendar, i. 10, 14. [25] De Selve, pp. 168-170.
[26] Calendar, i. 11-14. De Selve gives similar numbers.
[27] Calendar, i. 15, 16, 17, 18. [28] Calendar, i. 16; August 31, 1547.
[29] The account of the expedition is mainly from Patten's Diary, in Dalyell's 'Fragments of Scottish History' (1798).
[30] Buchanan, fol. 180; Pitscottie, xxii. 10. For another report, Tytler, vi. 25, 26.
[31] Calendar, i. 19, 20. [32] Thorpe, i. 66.
[33] De Selve, "among the Savages" (p. 204, September 17).
[34] Hay Fleming, Mary, Queen of Scots, pp. 191, 192.
[35] Calendar, i. 25. October 25. Thorpe, p. 69; Calendar, i. 31, 32.
[36] Calendar, i. 37, 38. Longniddry asks for money.
[37] Calendar, i. 30. [38] Calendar, i. 33.
[39] Calendar, i. 34. [40] Calendar, i. 71.
[41] Teulet, 'Relations Politiques,' i. 179; Act. Parl., ii. 481.
[42] Knox, i. 217. [43] Calendar, i. 173, 174.
[44] December 1548 (Calendar, i. 170, 171). [45] Calendar, i. 175, 176.
[46] Beaugué, 'Histoire de la Guerre d'Ecosse,' Maitland Club, p. 104.
[47] Teulet, i. 'Relations Politiques,' p. 201 (1862). [48] Knox, i. 222, 223.
[49] Lesley, p. 475.
[50] November 29, 1549. (Teulet, i. 210, 211. Marie to the Cardinal de Guise.)
[51] Fœdera, xv. 211-217; Privy Council Register, i. 85-87.
[52] Knox, i. 237-241.

We may compare, as to this martyr, the contemporary account in Foxe, where the conduct and language of the Court are not (as by Knox) described as violent. The accused is not addressed as "false traitor," "heretic," "knave," and so forth. Wallace is described by Knox as "a simple man, without great learning, but one that was zealous in godliness, and of an upright life." He was much in the company of the wife of Ormistoun, himself then banished as a traitor. Through the last three years of war he and Brunston had been constant agents of Somerset. Wallace was apprehended at Lord Seton's house, Wyntoun, near Haddington, and his trial took place before Arran, Huntly, Glencairn (son of the "godly" Earl, recently dead), "and divers others besides the Bishops and their rabble." The scene was "the Kirk of the Black Thieves, otherwise Friars," the Dominicans. Accused of preaching, Wallace denied the fact: he had only "given exhortation," and read the Scriptures "in privy places." According to Knox, Wallace in his defence styled the Bishops "dumb dogs, and unsavoury salt." The charges against him were read. He was accused of christening his own child, of denying Purgatory and the efficacy of prayer to saints and for the dead. He admitted the charges, and denounced the mass as "abomination before God." He was condemned, and burned on the Castle Hill. Turning to Foxe's account, we see that Argyll—"Justice"—and Angus were present, and the whole "Senate." Glencairn is not named; Knox, however, says that he made a kind of protest to "the Bishop of Orkney and others that sat near him." Knox and Foxe agree in stating that Wallace appealed to the Bible as his judge. He was not, if we follow Foxe, burned on the day of his condemnation, as Knox declares; the intervening day was passed in attempts to argue or tease him into recantation. He did not, as in Knox, insult the Bishops as "dumb dogs," or Foxe omits the fact. He appears to have been strangled before the burning. Foxe's account is from "testimonies and letters brought

from Scotland in 1550." (Laing's Knox, i. 543-550.) In both versions Wallace calls the mass an "abomination" or "abominable." Foxe declares that, as Wallace went to the stake, "the common people said, 'God have mercy upon him.'"

[53] Lingard, v. 159 (1855). [54] Knox, ii. 280.

[55] February 23. Foreign Calendar, Edward VI., p. 75. (Edited by Turnbull, 1861.)

[56] Teulet, i. 249-260 (Bannatyne Club). Foreign Calendar, Edward VI., pp. 97, 121, 126. Compare Hay Fleming, Mary, Queen of Scots, p. 200, note 15.

[57] Lesley, p. 486. [58] Privy Council Register, i. 109, 152.

[59] Lesley, p. 477. [60] Knox, i. 242.

[61] Act. Parl., ii. 602-604.

The Absolution and the Siege.

At this point it seems desirable to say something about the trustworthiness of Knox's History. He was in the castle, a trusted adviser; he ought to have known what occurred. But he asserts that the galleys appeared on "the penult day of June." Eight days earlier, he avers, the Government had shown the Castilians a copy of the papal absolution, "containing . . . this clause, *Remittimus irremissibile*"—that is, "we remit the crime that cannot be remitted." The garrison thought that this was not a trustworthy absolution, and declined to give up the castle. Yet we know that the absolution arrived early in April. As Knox is fond of charging his adversaries with treachery, it is needful to note the facts. The absolution did not *arrive* eight days before "the penult of June." On April 2 James Stuart of Cardonald, as we saw, reported to Wharton that M. de Combas, a French diplomatist, had already brought the document. On April 24 de Selve wrote that he suspected that the Castilians had refused the absolution carried by de Combas. Cardonald avers that before April 2 the Castilians were declaring that they would rather have a boll of wheat than all the Pope's remissions, "and so in no way can he" (Arran) "have St Andrews, albeit they have not declared him plainly, but allege against him fault in himself, for not keeping of his promise." In describing the coming of the French ships, Knox remarks, "This treasonable mean had the Governor, the Bishop, the Queen, and Monsieur Dosele under the Appointment drawn." Now Arran asked for French aid on November 26, long before the "Appointment" of December 17 (Privy Council Register, i. 54). There seems to be no treachery on Arran's part. Apparently, however, it was fair for the Castilians to engage English aid, and even to ask Henry, to move the Emperor, to urge the Pope to refuse the requested absolution.

In short, the Castilians never meant to keep *their* promise: never meant to surrender the castle on their own stipulated terms—the receipt of a papal absolution. Yet their ally, Knox, accuses the governor of treachery (Knox, i. 203; Calendar, i. 4, 5; de Selve, p. 134).

As to the siege of the castle by the French galleons, Knox makes it begin on June 30. After two days' fire from the ships, "the castle handled them so that Sancta Barbara [the gunner's goddess] helped them nothing." One galleon was nearly wrecked, the rest retired to Dundee, and, on Arran's arrival from the Border, the castle was invested on the land side. This was on July 19. For the first twenty days the castle "had many prosperous chances," but Knox warned the garrison that their corrupt life could not escape God's punishment, and that their walls would be but eggshells. On July 31, after a heavy fire, the castle

surrendered (Knox, i. 204, 205). It appears that there is some error or confusion in Knox's account of this famous siege of the castle, of which he was an eye-witness. The 'Diurnal of Occurrents' places the arrival of Strozzi and his fleet on July 24. In State Papers Domestic, Addenda, Edward VI., No. 23, July 13, 1547, Lord Eure writes to Somerset from Berwick that a number of galleons have passed that town towards Scotland. He again mentions them as *French* galleons on July 14. De Selve had the news from Somerset on July 16. On July 23 he learned that the galleons were investing the castle. On August 2 Somerset had news that a galleon had been destroyed by the bursting of a gun, and this may be the ship spoken of by Knox as wrecked or nearly wrecked. De Selve did not believe the story. On August 5 Somerset informed de Selve that the castle had surrendered on the first day that the battery was erected (de Selve, p. 178). It does not seem easy to reconcile these statements with Knox's.

CHAPTER II.

THE REGENCY. THE MARRIAGE OF MARY STUART.

1554–1559.

TILL the moment when Mary of Guise assumed the Regency, the national sentiment of Scotland, on the whole, must have preferred the French alliance to any union or compact with England. This would not, of course, be the opinion of men honestly convinced of the merits of the Reformation. In "their auld enemies of England" these Protestants, like Sir John Mason, recognised "Christian men"; in the French they saw "idolaters." Even before the change of religion, persons like Major had found the best hope for Scotland in union with England. Later, all who sincerely held the principles of Knox and Rough were of the same mind. The nobles, as has been shown, though they might speak the language of the godly, were alternately false to both parties; while all who had suffered in the ferocious wars of Somerset had a cruel hatred of the English, and little love for the French. A curious manifesto of a Unionist, James Henderson, is 'The Godly and Golden Book,' addressed to Thynne and Cecil (July 9, 1549). Henderson desires "the union and matrimony of the northern and southern parts of this isle of Great Britain." All are "of one tongue and nature, bred in one isle, compassed of the sea." Henderson, like Knox and Major, and indeed like Mary of Guise, pities "the poor labourers of the ground, . . . in more servitude than were the children of Israel in Egypt." He proposes that whereas, according to Mary of Guise, the peasants kept their holdings but for five years, they now should have long leases at the same rents, and the tithes so far as not "set to the landlords." Now, just as persecution

was at the moment as cruel in Protestant England as in Catholic Scotland, so the greed of landlords was as great. The insurrections of 1549 in England were mainly due to the recent inclosures of commons by landlords, who "frequently let their lands at an advanced rent to 'leasemongers'" (like the larger Highland tacksmen) "or middle-men, who on their part oppressed the farmer and cottager that they might indemnify and benefit themselves."[1] But Henderson, like Knox and Latimer, was sanguine enough to hope for a more tolerable social condition as a result of a purer Christian doctrine. But while it was easy to be godly as regards dogmas and ceremonies, and not impossible to punish sexual vices, the Reformers did not succeed in softening the hearts and subduing the avarice of men. Henderson hoped that the poor might live "as substantial commoners, not miserable cottars, charged daily to war and to slay their neighbours at their own expense." So far the union of the crowns was destined to fulfil his dream: Border raids were diminished and ceased. He also desired the restoration of the old almshouses and hospitals, decayed under the greedy cadets of noble houses, who for long had almost monopolised the best benefices. Many parish churches were "rent or falling down": the most ignorant and cheapest clergy held the cures. The wealth of the benefices ought to be expended on rebuilding the churches and securing adequate ministers, while bishops ought to maintain free schools in the chief towns.[2]

Not much is known of this Henderson, who was a Scottish informant of William Cecil. But his book, which he was anxious to print, proves that Reformers of his stamp expected social as well as religious reform from Protestantism, union, and the abandonment of "the bloody league" with France. To such Scots, when sincere and disinterested, we can no longer refuse the name of patriots. The whole policy of Mary of Guise tended to increase their number and influence. Since de la Bastie's head swung by its long locks at a Borderer's saddle-bow, the Scots had ever resisted the intrusion of foreigners into places of power. Mary of Guise, nevertheless, made de Rubay chancellor under Huntly, whose place became but nominal. Huntly's history is complex and obscure. We have seen that, after being taken at Pinkie, he either escaped or broke parole to return to England after a visit to Scotland. While he

was in England, de Selve thought him double-faced (December 1548).[3] In Scotland he showed duplicity, trying to keep touch with both parties.[4] He, with Argyll, was expected to keep down Highland disorders, to "pass upon the Clan Cameron," while Argyll "passed upon" Clan Ranald.[5] Later, according to Lesley, he was commanded to bring the Macdonalds of Moydart into subjection. He was deserted by his Clan Chattan allies, in revenge for his execution of their captain, Mackintosh, and his expedition failed. He was then imprisoned in Edinburgh Castle, was deprived of the earldom of Murray, and was sentenced to five years of exile, though this punishment was remitted. Huntly was regarded as the champion of the old faith; but, both under the Regent and her daughter, he was untrustworthy, was constantly "put at," and finally destroyed.

Mary of Guise, as Lesley declares, "neglected almost all the Scots nobles," and admitted only de Rubay, d'Oysel, Bonot, and other Frenchmen to her counsels.[6] The most fortunate occurrences of these years were the establishment of peace on the Borders, and the delimitation of the Debatable Land.[7] Despite these arrangements (which were previous to the assumption of regency by Mary of Guise) many Borderers were under bands to England. Such were the Elliots, Armstrongs, Glendinnings, and Irvings.[8] A Parliament held at Edinburgh in June 1555 throws some light on the condition of the country. Among evil deeds noted and repressed are the eating of flesh in Lent, and the revels of Robin Hood, and of Queens of the May, and "women or others about summer trees singing." The Protestants whose Lenten beef and mutton were cut off could scarcely be mollified by this repression of sports in essence older than Christianity. Vengeance was denounced on political gossips who blamed the French in Scotland. A "Revocation" by Mary of grants in her minority, made on April 25 at Fontainebleau, in the usual form, was recorded. In May 1556, after the marriage of Mary Tudor and Philip of Spain had seemed to strengthen the old faith, it was decided that an inquest into all property should be held, as the basis of new taxation.[9] According to Lesley, the Regent was moved by the advice of her Frenchmen, who wished to reorganise the system of national defence. Some of the nobles approved, but the barons totally rejected the scheme. Three hundred of them met, and denounced a measure contrary to their ancient feudal methods of military service. They would hear

of no mercenary forces, no germ of a standing army; and the Regent gave way. Many of the protesters against taxation and a standing army were probably much inclined to the English party. Hence, in part, their opposition to the only scheme which would enable Scotland to put regularly drilled musketeers into the field. In this Parliament the traitor Brunston, Balnaves, and William Kirkcaldy of Grange were pardoned, and restored to their estates. This was a measure of conciliation. Throughout de Selve's despatches, and despite a letter of Mary of Guise, speaking well of Châtelherault and the Archbishop of St Andrews, we recognise friction and jealousy between her and the Hamiltons. She was therefore anxious to gain over the Protestant party to her cause, and thus there was a lull in persecution for heresy.

The days of Brunston, Angus, and Sir George Douglas were nearly ended. New hands, Cecil and Lethington, were weaving the tangled web of faith and policy. Among these the most vigorous was Knox, whose biography for this period must be summarised. He had gone to England, as we saw, when released from the galleys in 1549. Under Henry VIII. he had regarded the English Church as little better than the Roman. Under Somerset and Edward VI. there was more of root-and-branch work. Fiery "licensed preachers" were needed by the Government, so Knox was licensed. He "was left to his own devices, and was permitted to introduce into an English town" (Berwick) "a form of religious service after the model of the most advanced Swiss reformers."[10] In Berwick he became the director of a spiritual hypochondriac, wife of Richard Bowes, an English gentleman of good family. His visits to her "gave rise to public gossip"; but the older Knox grew, the younger did he like his wives to be, and probably the eyes of Mrs Bowes' daughter Marjory were as attractive to him as the godly perplexities of her mother. At all events he later wedded the daughter, Marjory, when he was verging on fifty. In 1551 he went to Newcastle and took part in the editing of the Second Prayer Book of Edward VI. He had already, at Newcastle, preached to a distinguished audience against the mass. As Mr Hume Brown says, "his method of procedure was arbitrary in the highest degree, and by a similar handling of texts any fanatic could make good his wildest visions." But underlying the logic based on detached texts was his fundamental idea, "that rites and ceremonies were but so many barriers between the soul of man and God." This notion may

be true in certain ages, and of certain men. Of other men and other ages it is not true; and even Knox admitted the rites of baptism and of the Holy Communion. Meanwhile he already displayed his unparalleled candour and energy in political harangues from the pulpit. The reforming Somerset fell beneath the axe guided by Warwick (Northumberland), as the reforming Warwick (actually a Catholic) was more deservedly to fall in his turn. Knox even denounced, whether privately or in public seems uncertain, the execution of Somerset.[11] In 1551 he became a royal chaplain: his stipend was but £40 per annum. Northumberland, perhaps to bridle Knox, offered him the bishopric of Rochester. "What moved me to refuse?" he asked Mrs Bowes a year or two later, and answered, "Assuredly the foresight of evils to come." Whether he alluded to his gift of prophecy, or only to an obvious inference from what would follow on the death of Edward VI., a sickly boy, may have been left to the decision of Mrs Bowes.[12] "At a later period," remarks Mr Hume Brown, "he set down this refusal to his disapproval of bishops."

Meanwhile his energies were directed against the custom of kneeling at the celebration of the eucharist. He appears to have had a hand in the preparation of the "Black Rubric," and, that once inserted, he had "a good opinion" of the Second Prayer Book of Edward VI. That good opinion later changed into contempt.[13] In February 1553 he was offered, and declined, the vicarage of All Hallows, in Bread Street. Presently came the conspiracy of Northumberland to secure the throne, on Edward's death, for his daughter-in-law, Lady Jane Grey. The hearts of the people of England were with Mary Tudor, her cause prevailed, and Knox found that his "foresight of troubles to come" was justified. He had denounced Northumberland, from the pulpit, before Edward VI. as Achitophel, Paulet as Shebna, and somebody unidentified as Judas.[14] Mr Hume Brown suggests that Northumberland tolerated these harangues because he had no party except in the extreme Protestant body. Tolerated Knox was, and so he was confirmed in the habit of using the pulpit as the platform. This habit he carried into Scotland, and it practically meant that preachers, in a kind of inspired way, and with the sanction of their own and their flock's belief in their inspiration, were to guide the foreign and domestic policy of the State. These pretensions are incompatible with political freedom. Through the reigns of Mary,

James VI., Charles I., and Charles II. they were persisted in, till the Stewarts and the Hierocrats broke each other, and were broken, and the pulpiteers slowly became content to know their place.

Under Mary Tudor, Knox did not hold his post and accept martyrdom. He went abroad in January 1554, and at Geneva and Zurich consulted Calvin and Bullinger on certain cases of conscience. Is obedience to be rendered to a magistrate who enforces idolatry and condemns true religion? This is a handsome example of Knox's method. After 1560 a Scot who thought that the old faith was "true religion" was to be compelled by severe penal laws to "obey the magistrate"—the Presbyterian magistrate. Our beliefs as to what is "trew" are subjective and uncontrollable. But Knox believed, with a faith that moved political mountains, that his religion was the only true religion. Much of his power lay in faith so absolute, so devoid of shadow of turning. He asked other questions, but this of godly resistance to the idolatrous magistrate was the most important. Calvin and Bullinger put the questions by; for Calvin they had not yet risen into the sphere of practical politics. For the moment Knox bade the faithful, whom he had left to the tender mercies of Mary Tudor, "not to be revengers of their own cause," "not to hate with any carnal hatred these blind, cruel, and malicious tyrants." In "a spiritual hatred" might they freely indulge?[15] Knox's hatred of Riccio, Mary, Mary of Guise, and his other opponents was, doubtless, not "carnal" but spiritual. The worldly eye does not easily detect any essential distinction in the two forms of deadly detestation. Returning to Dieppe, he sent a mission to "the professors of God's truth in England."[16] In this tract Knox, after lashing Mary Tudor with Biblical parallels, exclaims, "God, for his great mercy's sake, stir up some Phineas, Elias, or Jehu, that the blood of abominable idolaters may pacify God's wrath, that it consume not the whole multitude."[17] Jehu murdered Jezebel, and Knox's prayer is a provocation to murder. Did Knox forget Hosea i. 4? "The Lord said, . . . for yet a little while, and I will avenge the blood of Jezreel" (the scene of the deed) "upon the house of Jehu." As his most recent biographer says, "In casting such a pamphlet into England, at the time he did, he indulged his indignation, in itself so natural under the circumstances, at no personal risk, while he seriously compromised those who had the strongest claims on his most generous consideration."[18] The fires of Smithfield soon after

blazed out. It was easy, and perhaps natural, for opponents to say that Knox had lighted them. He had described the Queen of England as "an open traitress," had spoken of what would have occurred if she "had been sent to hell before these days," had called for a Jehu, and certainly had compromised the flock which he had abandoned. In uttering provocatives to, and applauses of, political murders, Knox of course spoke as a man of his age. Greece had applauded Harmodius and Aristogiton, murderers of a tyrant. Elijah had impelled Jehu, the murderer of an idolater. Catholics and Protestants at this period believed that they had Biblical and classical warrant for the dagger. But there was a certain shamefacedness, as a rule, in clerical abettors of murder. Knox, for his part, is frank enough. That Christ came to abolish such deeds of blood is no part of the reformed Christianity of Knox.

He later moved to Frankfort, and took a vigorous part in the quarrels of the English Protestant refugees as to their Church service. A congregation, who sat under Cox, insisted on uttering the responses, or "mummuling" as Knox called it; and now he discovered even in the Second Prayer Book of Edward VI. "things superstitious, impure, unclean, and imperfect."[19] In the end some of Cox's party denounced Knox to the Frankfort magistrates for the treason to the Kaiser, Philip, and Mary contained in his 'Godly Admonition' to the faithful in England. He had drawn a trenchant historical parallel between the Kaiser and the Emperor Nero. Knox had to leave Frankfort. He arrived in Geneva in April 1555. There he found Calvin wielding the full powers of a theocracy. Outlanders had been enfranchised: the native vote was swamped; the ministers could excommunicate, with all the civil consequences of a State "boycott," "virtually implying banishment." Such, or very similar, was the condition to which Knox and his successors endeavoured to reduce Scotland. And now, after harvest in 1555, to Scotland Knox returned, at the request of Mrs Bowes. He probably did not know himself how safe was this venture into the native country where, nine years ago, his peril had been extreme. Despite the execution of Wallace, various causes had contributed to keep down persecution. It was not the policy of Archbishop Hamilton. The ambitions of his House, disappointed for the time by the deposition of Châtelherault from the regency, would not be forwarded by the unpopularity that cruelties

must arouse. Mary of Guise, for her part, was trying to conciliate the Protestants.

In 1549, and in 1552, the Church had been taking shame to herself for the evil lives of clerics: a Reformation from within was being attempted. The Catechism of Archbishop Hamilton was issued early in 1552, after the Provincial Council in January of that year. It is "a fine piece of composition, full of a spirit of gentleness and charity," says Mr Hill Burton. The tolerance of tone, and the preference for a Christian life as more essential than disputes on Christian mysteries, are worthy of Ninian Winzet.[20] In these years, then, the Reformers, such as Harlaw (originally an Edinburgh tailor) and Willock (an Ayrshire man) ventured back into Scotland and held forth in private. "And last came John Knox, in the end of harvest." Lodging at Edinburgh with John Syme, "that notable man of God," Knox exhorted secretly. In a Mrs Barron Knox found another Mrs Bowes,—"she had a troubled conscience." Like Edward Irving, and other popular preachers, Knox had enormous influence over women. He seems to have been unwearied in listening to the long and complex chapter of their spiritual sorrows, to which the Catholic confessors probably lent an accustomed and uninterested hearing. At this juncture even masculine consciences were "affrayed" as to the propriety of bowing down in the house of Rimmon, and going to mass.

To discuss this question of conformity, Knox dined with Erskine of Dun, Willock, and William Maitland, younger of Lethington. Here we first meet this captivating and extraordinary man, a modern of the moderns, cool, witty, ironical, subtle, and unconvinced; a man of to-day, moving among fanatics and assassins, and using both, without relish as without scruple. Knox decided that it was not lawful for a Christian man to present himself to that idol, the mass. It was argued, perhaps by Lethington, that the thing had New Testament warrant. The probatory text was Acts xxi. 18-27. On St Paul's arrival at Jerusalem, after a missionary expedition among the Gentiles, St James pointed out to him that many Jews professed Christian principles, but remained "zealous for the law." Paul was accused of wishing them to "forsake Moses" and disuse circumcision. Would Paul give a practical proof that he had not broken with the old Law? Paul therefore ritually "purified" himself with

four shaven men under a vow. With them he entered the temple "until that an offering should be offered for every one of them." Apparently the argument was that the sacrifice of the mass answered to this offering of "the shaven sort" of Hebrew votaries. As a matter of fact, Paul was mobbed by the Jews. Knox, evading the "offerings" (the essence of the parallel), replied that "to pay vows . . . was never idolatry," but the mass *was* idolatry. "Secondly," said he, "I greatly doubt whether either James's commandment or Paul's obedience proceeded from the Holy Ghost." For, in fact, Paul was mobbed, which showed "that God approved not that means of reconciliation, but rather that he plainly declared that evil should not be done that good might come of it." Lethington had an obvious reply. First, by Knox's own showing, evil, in this case, was *not* done. Next, Stephen was worse handled than Paul; did such results prove God's displeasure? Lastly, by what right did Knox determine when the apostles were, and when they were not, inspired? However, Maitland is not reported to have pressed these answers, and conformity began to be disused by the godly. Knox now visited some country houses. He stayed with Erskine of Dun, and with old Sir James Sandilands at Calder House. Here he met Lord Erskine (later sixth Earl of Mar), Lord Lorne, who became fifth Earl of Argyll in 1558, and the Bastard of Scotland, Lord James Stewart, Prior of St Andrews and Macon, later Earl of Murray, and at this time a man of twenty-three or twenty-four years of age. Till Christmas, Knox lectured in Edinburgh, then in Kyle, Ayr, at the house of Glencairn, Finlayston, and elsewhere about the country, ministering the Sacrament in the Geneva way. Consequently he was summoned to appear for trial in the Dominicans' church in Edinburgh on May 15, 1556. But "that diet held not." Erskine of Dun, with divers other gentlemen, convened at Edinburgh, and the bishops, as Knox says, either "perceived informality in their own proceedings, or feared danger to ensue upon their extremity, it was unknown to us." The latter alternative is the more probable. After successful sermons, Knox sent a letter to the Regent, who showed it to the Cardinal's nephew, James Beaton, Archbishop of Glasgow, saying, in mockage, "Please you, my Lord, to read a pasquil." The letter had been conciliatory, for Knox, who, irritated by the Regent's scorn, published it anew, with truculent additions. Nothing galled him like a gibe.[21] Knox now

sent Mrs Bowes, "and his wife Marjory," abroad; visited the Earl of Argyll of the 1000 crowns; then crossed to Dieppe in July 1556, and so proceeded to Geneva, to resume his care of the English congregation. Here we may glance at the process of evolution by which Protestantism was increasing its hold upon Scotland. Between the release of Knox from the galleys and his visit to his native country in 1555-1556, the new movement had advanced rapidly. Progress was due in part to the arrival of preaching refugees from England, and of Knox; in part to the toleration forced on the Government, or congenial to Mary of Guise; in part to the death or decline of the old intriguers like Glencairn and Argyll, with the advent of a younger generation.

Among the middle and lower classes, too, the leaven of reform was working busily. Mr Carlyle has eloquently complained that no clear view of this travail is given by historians. When he desires to see and hear the spiritual ferment of a grave, ardent, and deeply moved people; to watch the tokens of hearts convinced of sin; and the stir of indignation against a secular imposture, the new joy of men between whose hearts and God the barrier of ceremony is broken,—he is told a tale of scandal in high life. He is put off with the amours and hates of Darnley, Riccio, Mary, and Bothwell.

In fact, while human beings are of concern to human beings, that tragedy will be the subject of interest and dispute. There are here terrible and sorrowful facts, facts in great numbers, if not precisely recorded. But, as to the weightier matter, the development of national character, no man was minutely watching and recording the veering breezes of public "feeling" on the eve of the Reformation. Knox himself was abroad, though his letters contain valuable evidence. Two relics of the scanty popular literature born in that age of strife lend themselves to our inquiry. The first is 'The Complaynt of Scotland' (1549), a treatise of which only some four copies have survived—a proof, perhaps, of its popularity.[22] The authorship is uncertain; much of the work, indeed, is borrowed from the French of Alain Chartier. The political reflections, however, are original and interest us. With a great parade of learning the author laments the evils of the times. The English, though successful, are merely sent to punish Scotland's sins: they are the hangmen of Providence. The "neutrals" and the "assured Scots" are equally condemned. The clergy are advised to take up arms in defence of their country; their slaughter at Pinkie was, however,

discouraging. Though the writer is not one of "the godly," and does not desire to break with the Church, he prophesies that "schism shall never cease, for no statutes, laws, punishments, banishing, burning, nor torment, . . . till the clergy reform their own abuses." As for the nobles, the author declares that, whatever plan may be decided on in Privy Council, is known at Berwick within twenty hours, and at London in three days later. Probably most men guessed that Sir George Douglas, or some other traitor, gave the most secret intelligence to Ormistoun or Brunston. In their hands, we know, it reached Berwick instantly. The rest was easy.

The sorrows and oppressions of the labourers of the ground are reckoned to the charge of the nobles, but the labourers themselves are unworthy of liberty. They frequent noisy public meetings; all shout at once; only the noisiest is heard and followed. The author (who has an odd interlude of valuable notes on popular songs and tales) is a patriot first, a deadly foe of England, a preacher of the duty of imitating Bruce. Only in the second place does he care for the religious question, and then merely as it is concerned with a good life, not with dogma and metaphysics. To free Scotland first of all, and then to care for religious and social reforms, is his desire. "You are so divided among yourselves," he cries, "that not one trusts another." He might almost have added, that not one deserved to be trusted. We shall see how lack of confidence affected the action of Knox himself.

While the 'Complaynt' utters the ideas of a patriot of culture, the 'Gude and Godlie Ballatis' reflect the emotions and aspirations of the ardent middle-class reformers. These poems, in great part hymns translated from the German; for the rest, religious parodies of popular songs, with a few satirical ballads on the Churchmen, are attributed to the Wedderburns of Dundee.[23] Probably the clergy reckoned the book (of which no copy in the original edition is known) among the slanderous ballads prohibited by Arran. The earliest date of the *ballatis* (in broadsheets, perhaps) may be between 1542 and 1546. Others are obviously later. But Scottish Protestantism had not yet come to regard with distrust and disapproval such a phrase as "Jesus, Son of Mary." On the other hand, we read,—

> "Next Him to lufe his Mother fair,
> With steidfast hart, for ever mair,
> Scho bure the byrth, freed us from cair."

But prayer to saints was denounced.

"To pray to Peter, James, or Johne,
Our saulis to saif, power haif they none,
For that belangis to Christ allone,
He deit thairfoir, he deit thairfoir."

In these times, the struggle was between Animism and Theism. Perhaps from almost the beginning of religion this conflict has existed. Deity seems abstract and remote; the souls of the ancestral or saintly dead are familiar, kindly, and near at hand. Hence saint-worship, which the Reformers were forsaking for God, revealed and incarnated in Christ. The animistic theory of Purgatory, with prayers for the dead, and the extortions practised in that cause, was also a stumbling-block.

"Of the fals fyre of Purgatorie,
Is nocht left in ane sponk:
Thairfoir sayis Gedde, 'woe is me,
Gone is Preist, Freir and Monk.

The reik [smoke] sa wounder deir thay solde,
For money, gold and landis:
Quhill half the ryches on the molde
Is seasit in thair handis.'"

These lines, written after 1560, express the practical grievance: the wealth of the clergy, based on the payments for masses for the dead. "Works," too, were condemned.

"Thair is na dedis that can save me,
Thocht thay be never sa greit plentie."

Not that a good life is indifferent.

"Fyre without heit can not be,
Faith will have warkis of suretie,
Als fast as may convenientlie
Be done, but moir."

So far we have spiritual songs, and a satisfying new theology, grounded in justification by faith, with faith itself as the spontaneous and inevitable source of righteous conduct. But the "rascal multitude," as apart from the minority of the earnestly godly, was reached and inflamed by parodies of such popular songs as

"Johne, come kis me now,
Johne, come kis me now,
Johne, come kis me by and by,
And mak no moir adow.

The Lord thy God I am,
That Johne dois thé call,
Johne representit man
Be grace celestiall."

A chant of triumph runs thus,—

> "Ye schaw us the heid of Sanct Johne,
> With the arm of Sanct Geill [Giles];
> To rottin banis ye gart us kneill,
> And sanit us from neck to heill.
> The nycht is neir gone."

Such were the ideas of the middle-class reformers, lyrically expressed, and such were their allurements to the multitude, who were indignant at the long imposture, as they deemed it, and had all the joy of the rabble in destroying to-day what yesterday they had adored. Such hymns may have been sung in private conventicles, as at the house of Knox's friend Syme. Meanwhile, the pious wives and mothers were already choosing directors, putting cases of conscience, and adoring preachers who claimed gifts of prophetic inspiration. The middle classes and the populace being thus prepared, the godly nobles, as we saw, had been attending the ministrations of Knox.

It would appear that they already contemplated making a push for their ideas by force. At Stirling, on March 10, 1557, a letter was written and despatched to Knox at Geneva. It was signed by Glencairn, by Lorne, Erskine (not of Dun, but Lord Erskine, keeper of Edinburgh Castle), and Lord James Stewart. Knox was informed that the faithful not only desired his presence, but "will be ready to jeopardy lives and goods in the forward setting of the glory of God"; persecution, they said, was slack. The bearers, Knox's friends Syme and Barron, would say more.[24] The letter clearly indicates that Glencairn, Argyll, Erskine (later the Regent Mar), and the Lord James were designing a political movement, and were ready to take all consequences if Knox would join them. Calvin and the rest urged him to go. He promised to come "with reasonable expedition," but did not reach Dieppe till October 24. Though Morton declared that Knox "never feared the face of man," his long delay showed no zest for his enterprise. By the end of October things in Scotland were no longer as they had been in March. There were wars and rumours of war. Knox carefully records certain portents: one of them is of the kind noted by Livy and the heathen augurs. There were a comet, lightning, and a two-headed calf, which was presented to the Regent by one of the godly house of Ormistoun. But Mary of Guise, with horrid levity, "scripped"

(sneered), and said, "It is but a common thing." And Knox goes on: "The war began in the end of harvest." He had, two pages before, denounced the English congregation at Frankfort as "superstitious." [25]

Lesley mentions the other portents, but not the calf. When safely out of Scotland, in 1556, Knox had been summoned again, and burned in effigy at Edinburgh Cross. That also was a "warning."

The war that had been plainly indicated by a comet and a two-headed calf ran its feeble course in the autumn of 1557. In a strife between France and Philip of Spain, England had aided Philip by sending troops to the Low Countries. Philip and Mary Tudor, doubtless to neutralise Scotland, arranged meetings of Scots and English Commissioners for the peace of the Border. They met on the Stark water in June 1557, and the English perceived that the Scots dreaded being drawn into the war as allies of France. Westmoreland hinted this danger to Cassilis, who said, "By the mass, I am no more French than you are a Spaniard. I told you once, in my lord your father's house, in King Henry VIII. his time, that we would die, every mother's son of us, rather than be subjects unto England. Even the like shall you find us to keep with France." [26] The Bishop of Orkney, and Carnegie, were equally anxious for peace between Scotland and England, and Carnegie said that, "as far as we know," the Regent was of the same mind. But before July 2 English Borderers, such as the Grahams, had broken the peace, an ordinary event. The Bishop of Orkney was still full of peaceful words on July 13: on July 16 the commissioners proclaimed peace at Carlisle Cross, and prorogued their meetings till September 15.[27] However, the Scots made Border raids, perhaps in reprisals for that of the Grahams of Netherby, before July 29.[28] Home was, in revenge, defeated at Blackbreye.[29] Before that event d'Oysel had fortified Eyemouth, as a counterpoise to Berwick, from which he expected to be attacked. This act was in the teeth of the last treaty with England. War was now declared, but at Kelso, Châtelherault, Huntly, Cassilis, Argyll, and the rest declined to cross Tweed. They had heard of Flodden. Knox, Leslie, and Arran himself agree in making this refusal the cause of hatred between the Regent and her nobles. Lesley declares that they now began to make the reformed religion a stalking-horse for their sedition: Knox avers that "the Evangel of

Jesus Christ began wondrously to flourish."[30] Henry II. now tried to tighten the bonds between France and Scotland, by marrying the Dauphin to Mary Stuart, and events in Edinburgh illustrate the progress made by the Evangel.

In 1542 and 1543 the people of Edinburgh had been notably constant to the old faith. They mobbed a Protestant Dominican, a preacher of Arran's, and, just before Arran's return to Catholicism, they protected the Black Friars Monastery from his men. But now, in September 1557, the image of the patron saint of "the Mother Kirk" of Edinburgh, St Giles', was stolen, ducked in the Nor' Loch under the castle, and finally burned. Archbishop Hamilton bade the town replace the image, and the town council appealed against the judgment.[31] This occurred a year before the great riot against St Giles' in September 1558; but though the affair of September 1557 was less public, it indicated the change in the popular humour. "The images were stolen away in all parts of the country," says Knox.[32] To us representations of saints, in works of art, are merely works of art. But processions in which the images were carried, and the custom of kissing such relics as the arm of St Giles in its silver case, were instances of mere heathenism and idolatry to the mind of the Reformers. Thus when Knox, several months after being invited, reached Dieppe in October 24, 1557, the country was engaged, though slackly, in war with England, and was also full of tumult—sacred things being destroyed. The circumstances do not suit the scheme indicated in the invitation to Knox given on March 10. On arriving at Dieppe, he found awaiting him "two letters not very pleasing to the flesh." One letter informed him that the plan of March 10 was being reconsidered. The other was from a gentleman who said that in none of the planners "did he find such boldness and constancy as was requisite for such an enterprise." Some repented, some were "partly ashamed," others "were able to deny that ever they did consent to any such purpose, if any trial or question should be taken thereof."[33] In fact, as the author of the 'Complaynt' had said, no man could trust a neighbour. Knox wrote to the godly nobles, complaining of their usage of him. He said that the nobles were betraying the cause and the realm "to the slavery of strangers," the French. "I am not ignorant that fearful troubles shall ensue your enterprise. . . . You ought to hazard your own lives, be it against Kings or Emperors" (Dieppe, October 27). Mr Hume Brown infers that Knox had no particular desire to hazard his own life. "At

all events, Knox certainly made the most of" the two unofficial letters. . . . In his private correspondence we have another and, doubtless, a more adequate account of the various motives that led him to turn his back on Scotland at this time. Thus, next spring (March 16, 1558), he wrote to Mrs Guthrie, "If any object I followed not the counsel which I give to others, for my fleeing the country declareth my fear; I answer, I bind no man to my example." A month later, he declares that "the cause of my stop I do not to this day clearly understand. I most suspect my own wickedness." At Dieppe ideas, perhaps, he thinks, of satanic inspiration, had occurred to him. "I began to dispute with myself as follows: Shall Christ, the author of peace, concord, and quietness, be preached where war is proclaimed, sedition engendered, and tumults appear to rise?" He would behold civil war, murder, destruction. Had he a right to cause this ruin, to rouse these passions, in the name of the Author of peace on earth and goodwill among men? These cogitations "did trouble and move my wicked heart."

He remained at Dieppe till the early spring of 1558, writing long letters to the brethren in Scotland, and composing his famous 'First Blast of the Trumpet against the Monstrous Regiment of Women,' especially the three Maries. No moment in Knox's life is more curious. It seems that he was not always ready to die for his beliefs, and the half-consciousness of this lack of courage caused him to suspect his own doubts as to the lawfulness of raising war in the name of the Prince of Peace.[34] As a matter of fact, Knox would probably have done nothing by the visit to Scotland which he declined to make As he was urging the nobles, from Dieppe, to persist in their perilous enterprise, Henry II., on October 30, was writing to the Queen-Regent and the Estates to hurry on the marriage between Mary and the Dauphin Francis. Even the Lord James, and Erskine of Dun, came into a project detested by Knox. From this point of view, he ought to have hastened to the scene of peril, stirred up opposition to the French marriage, and taken his share of danger. He was content, despite his scruples, to "bid the rest keep fighting." They took his advice, despite the current negotiations for the French marriage, and alliance with idolaters. "A common band was made," says Knox, in the interests of the truth. We have seen bands enough, instruments denounced by law, in the past history of Scotland. But the band of Argyll, Glencairn, Morton (son of Sir George Douglas), Lorne, and

Erskine of Dun (a commissioner for the marriage) is probably the first godly band. The date is Edinburgh, December 3, 1557. The banded nobles are to resist no one less than Satan, "even unto the death." Before God and the Congregation they vow to peril their very lives in establishing the most blessed Word of God and his Congregation. They will defend faithful ministers against "all wicked power that does intend tyranny." They renounce idolatry and the congregation of Satan, that is, the Church as by law established. Of the signatories, Argyll, after denouncing English godliness as a hypocritical cloak of greed, had sold himself for 1000 crowns. He died in autumn 1558. Glencairn was the Kilmaurs whom Henry VIII. had found so shifty. Morton was to show his form of godliness by murder, by being art and part in Darnley's assassination, and by robbing and insulting the reformed Kirk through his "tulchan bishops." Lorne's course was to be sufficiently ambiguous, and Erskine of Dun had begun his career by slaying a priest in the bell-tower of Montrose. Erskine's father paid the blood-price, or assythment. These were strange instruments of reform in the Church of Christ. They decided that the common prayers (the Second Prayer Book of Edward VI.) should be read weekly in churches by the curates, if read they could, if not, by some qualified person. Preaching should be quiet, without great conventicles.[35]

Very shortly after the letter of Henry II. to the Scots Estates was despatched, on November 29, Parliament met, and instructed Commissioners to deal with France on the basis of Henry's letter. The Protestant party was represented on the commission mainly by Erskine of Dun, and the Lord James Stewart, Prior of St Andrews. Perhaps "Protestant" is too definite a term, at least for Lord James; but he had been a hearer of Knox, and had resolved on a Protestant enterprise. The prelates of Glasgow, Ross, and Orkney represented the Church; Rothes, Cassilis, Fleming, and Seton were probably of open mind as to the religious question. The Commissioners were enjoined "of new to contract and agree" to preserve all the ancient rights, liberties, and privileges of the country. If Mary died without issue, "the righteous blood of the Crown of Scotland" was to succeed—that is, the House of Hamilton. Châtelherault acquiesced in these arrangements, as he told Sir Harry Percy, who approached him in the English interests.[36] Sir Harry's letter shows Châtelherault again as in 1542, zealous for "the maintenance of the Word of God."

Apparently his brother, the Archbishop, could not keep this waverer constant. As to safeguarding the freedom of Scotland, the marriage-contract (April 19, 1558) ratified the treaty of Haddington, in which these rights were secured. The Scottish Commissioners were to give their fealty to the Dauphin "*à cause de la ditte Royne sa compagne et consort.*" The Dauphin was, in his capacity as Mary's husband, to bear the name, title, and arms of the King of Scotland. But Francis was no more loyal now than Edward I. had been constant to the Treaty of Birgham. On April 4 documents to a very different effect had been signed by Mary. If she died without issue, she left Scotland in free gift to the King of France, with all her conceivable rights to the English crown. A second deed made Scotland responsible, in the case foreseen, for a million, or whatever other expense France had incurred in defending the country. Thirdly, she declared that her assent to the Scottish articles as to the succession, if she died without issue, was to be of no effect.[37] These dealings, due to the scheming of Mary's uncles, the Guises, were merely infamous. How far the young queen understood, or looked into, the papers which she signed, we do not know: she was intelligent enough to understand their purport. The Commissioners, ignorant of the secret clauses signed by Mary, declined to have "the Honours of Scotland," the Regalia, brought over to the Dauphin. On April 24 the royal marriage was celebrated with great pomp, masques, and dances.[38] Thus at last the "queen of many wooers" had found a lord: she for whose unconscious hand such rivers of blood had flowed, so many men had died. In the mythical background of the history of Helen, while yet a child, before Ilios and its leaguer were dreamed of, there are legends of murders and manslayings, sieges and invasions, for her beauty's sake. Mary was the Helen of the modern world. Discord came to her christening with the apple of strife, the one fatal gift among many gifts so goodly: beauty, charm, courage, and loyal heart. Round her cradle men and women intrigued and lied; many a time her grand-uncle had practised to carry the infant away from her guarded castle. For her sake the Border again and again was ravaged, and Beaton was slain, and corpses lay in thousands on the field of Pinkie Cleugh. Once removed to France, who shall say how early the scandals of the godly pursued her maiden name? Says Knox, "The Cardinal of Lorane gat her in his keeping, a morsel, I assure you, meet for his own mouth."[39]

Dr Hay Fleming remarks, "Before Mary's second marriage, he who was to be her third husband was alleged to have called her 'Cardinal's whore.'"[40] Bothwell is accused of having circulated the slander which, perhaps through him, reached the Reformer. Of Mary's education and early life in France not much is known. Certainly she was not always secluded in a convent: she often followed the Court, and was kindly treated by Diane de Poitiers, and was in the society of Catherine de' Medici, the queen. What manner of Court was kept by Henri II. is unknown to none. What slur or stain fell on Mary's own disposition is matter of conjecture. She was well taught in accomplishments—riding, embroidery, dancing, music: she had some Latin, less than the really learned ladies of her age. Her frank dignity of bearing, her courage, and her womanly charm and tact, are attested even by jealous diplomatists, or at least by the diplomatists of jealous Powers. That she was beautiful is more clearly proved by her history than by her portraits. "A fire comes out from her that consumes many." No woman not divinely fair could have been as a devouring flame. She was, in brief, the Helen or the Cleopatra of the modern ages. If her likenesses disappoint, we may safely ascribe the fault to artists who could not portray a beautiful woman. Marguerite of Valois fares no better at their hands. For the word of God Argyll and Morton professed themselves ready to imperil "their very lives." For Mary men poured out their lives like water. She was more to them than a woman; she was a religion and an ideal.* But Fate, from her cradle, lay so heavy upon her that no conceivable conduct of hers could have steered her safely through the plotting crowns and creeds, the rival dissemblers, bigots, hypocrites, and ruffians who, with jealousy, and hatred, and desire, on every side surrounded her. Joyous by nature and by virtue of her youth, she was condemned to a life of tears, and destined to leave a stained and contested honour. Such was, and was to be, the bride of Francis of France, the bride of Darnley, the bride of Bothwell.

* This rather applies to the Catholic youth of England than to Mary's friends in Scotland.

NOTES TO CHAPTER II.

[1] Lingard, v. 285, citing Strype, ii. 141. [2] Calendar, i. 140-145.
[3] De Selve, pp. 474, 477. [4] Hamilton Papers, ii. 622.
[5] Privy Council, i. 126. [6] Lesley, pp. 482, 483.
[7] Calendar, i. 190. September 24, 1552. [8] Calendar, i. 191.
[9] Act. Parl., ii. 604, 605. [10] Hume Brown, Knox, i. 111.
[11] Knox, iii. 277. [12] Knox, iii. 122. [13] Knox, iv. 43.
[14] Knox, iii. 281. [15] Knox, iii. 244. [16] Knox, iii. 263-330.
[17] Knox, iii. 309. [18] Hume Brown, Knox, i. 161.
[19] Knox, iv. 41-49. His account of these troubles.
[20] T. G. Law, Preface to Catechism.
[21] Knox, i. 245-252. The Pasquil is in Knox, iv., in two editions, 1556 and 1558.
[22] Early English Text Society, 1872. Edited by Dr Murray.
[23] *Gude and Godlie Ballatis.* Edited by the late Dr Mitchell for the Scottish Text Society, 1897. Whether one of the brothers, Robert, was author of the 'Complaynt' or not, is disputed, *op. cit.*, xxv, xxvi.
[24] Knox, i. 267, 268. [25] Knox, i. 253-255.
[26] Martyn to Mary Tudor, June 11, 1557. Calendar, i. 198.
[27] Calendar, i. 200, 201.
[28] Council to Wharton, July 29, 1557. Tytler, v. 24 Not calendared by Thorpe or Bain.
[29] Stevenson, Illustrations, p. 70. [30] Knox, i. 256; Lesley, 491.
[31] Laing, in 'Knox,' i. 560. [32] Knox, i. 256.
[33] Knox, i. 269. [34] Hume Brown, Knox, i. 205-212.
[35] Knox, i. 273, 275, and note 6. [36] January 22, 1559. Keith, i. 364-368.
[37] Labanoff, Recueil, i. 52-56. [38] Teulet, i. 302-311.
[39] Knox, i. 219.
[40] Hay Fleming, p. 206, citing 'Foreign Calendar, Elizabeth,' 1564-65, 315, 320, 325.

CHAPTER III.

THE WARS OF THE CONGREGATION.

ALMOST at the very time of the royal marriage the clerical party in Scotland achieved their last, their most cruel, and most impolitic act of persecution. After the making of the band of the Congregation, in December 1557, there had arisen a controversy, courteous in terms, between Archbishop Hamilton and the aged Earl of Argyll. A preacher named Douglas was entertained by the Earl: the Archbishop remonstrated, and Argyll replied. He knew that Hamilton was unpopular with the clergy "for non-pursuing of poor simple Christians"; he knew that if the Archbishop listened to his clerical advisers, there would be burnings. Against these he warned his correspondent. The letters passed between the end of March and the first week in April 1558.[1] As Argyll's character has not been shown in a favourable light, it is fair to say that at this period neither he nor his associates can well have been moved by other than honest convictions. Mary Tudor was still on the English throne: nothing now was to be gained from England, unless on the expectation of Mary's death and the return of Protestantism under Elizabeth. In Mr Froude's opinion, however, "the gaunt and hungry nobles of Scotland, careless, most of them, of God or Devil, were eyeing the sleek and well-fed clergy like a pack of famished wolves." The warning of Argyll was unheard by the Archbishop. On a date variously given, but apparently between April 20 and April 28, 1558, one Walter Milne, a very aged man, and a married priest, was tried for heresy, and burned at St Andrews.[2]

Untrustworthy as is Pitscottie, his word may perhaps be taken for what occurred in his own day, almost in his own parish. "The said Walter Mylie [Milne] was warming him in a poor woman's house in Dysart, and teaching her the commandments of God to her and

her bairns, and learning her how she should instruct her house, to bring up her bairns in the fear of God." This duty, despite the Archbishop's Catechism, had been flagrantly neglected by the clergy in general. To arrest such a man, in such a task, as "a seducer of the people," and to burn him under forms of the most dubious justice, naturally, and righteously, caused "a new fervency among the whole people." A cairn of stones was raised on the site where Milne had suffered. The populace was now sincerely stirred, and Milne, as he had hoped, was the last who died for Protestantism in Scotland. The act was cowardly and merciless. Hamilton might have proceeded against Argyll. He preferred to burn a poor, aged, and decrepit man for teaching the Commandments, and for having, in Beaton's time, married and abjured his orders.

A strange event, occurring in September 1558, did not add to the popularity of France. On their return to Scotland, at Dieppe, the Commissioners for the marriage sickened, the Bishop of Orkney died, and by November 29 Rothes, Cassilis, and Fleming had not yet left France,[3] where they later succumbed. The Lord James Stewart is said never to have recovered his health completely. According to Pitscottie, he was "hanged by the heels by the mediciners, to cause the poison to drop out."[4] A similar tale is told about Cardan's treatment of Archbishop Hamilton. Naturally, poison was suspected; but the fatal ball at Stirling, in recent years, proves that accident and oysters may be the cause of similar calamities. The temper both of the populace and the gentry was exhibited in August and September. Paul Methven, a preacher later suspended for adultery, had been summoned to trial for heresy. But the gentry of his faction gathered to support him, as when Knox was summoned in 1556, and a riot seemed probable. The trial was postponed to the beginning of September.[5] Apparently not only Methven, but Willock and other preachers were included in the summons, and their armed defenders entered the Regent's presence, protesting, "Shall we suffer this any longer? No, madam; it shall not be. And therewith every man put on his steel bonnet." The Regent addressed them falteringly in her broken English, "Me knew nothing of this proclamation."[6] If Buchanan and Lesley are well-informed, the new summons against the preachers coincided with the Feast of St Giles (September 1). The old "idol," which had been carried off, had not been replaced, but a new idol, "Young

St Giles," was borne in procession. The Regent accompanied it, but, as she was dining in a burgess's house, while St Giles was being carried back to his shrine, a riot arose. "The hearts of the Brethren were wonderfully inflamed," and the rascal multitude now loved mischief more than they feared saints. The priests were scattered by the mob, St Giles was broken to pieces, and though Buchanan says that there was no bloodshed, the nerves of the clergy were shaken seriously. The Bishop of Galloway, a rhymer and, Knox says, a gambler, died of emotion. "The articles of his creed were: "I refer! Decart you: ha, ha, the Four Kings, and all made, the Devil go with it, it is but a knave!" That "belly-god," Panter, the learned Bishop of Ross, died in October. The Church was seriously weakened by his decease.

In England the loss of Calais was followed by the death of Mary Tudor (November 17, 1558). Elizabeth was naturally expected to bring England back to a creed which would be sympathetic to the Lords of the Congregation. They were strong in the popular favour, England would soon be their ally, they had organised their forces, had sent emissaries through the land to enrol adherents, and hoped to win their ends, if not peacefully, then by force of arms.[7] Their demands for right to use common prayers in English were accepted, for the time, by Mary of Guise, provisionally; they might "use themselves godly," and apparently might celebrate the sacrament in their own way if they would abstain from public meetings in Edinburgh and Leith. All this till "some uniform order might be established by a Parliament."[8] Parliament met on November 29, and decreed the crown matrimonial to the Dauphin.[9] The Lords of the Congregation put in a letter on their own affairs, but it is not recorded; Knox says that their enemies refused to let it appear in the register. The Protestants observed that, in the existing state of the penal laws, their immortal souls were endangered by submission to "the damnable idolatry and intolerable abuses of the Papistical Church." In addressing members of that Church, their tone was remote from conciliatory. They requested that the Heresy laws should be suspended till a General Council decided "all controversies in religion," a date obviously remote. Secondly, lest this should seem to "set all men at liberty to live as they list," they asked for a secular judge, with the ordinary and necessary provisions, unknown to inquisitorial proceedings, for the defence of the accused. They appealed to the

Scriptures as the sole criterion of what was, or was not, heresy. But who was to interpret the Scriptures?

The Regent, in these difficult circumstances, temporised, and the evangelical Lords put in a protest, demanding security from persecution, and proclaiming themselves blameless, if tumults arose, "and if it shall chance that abuses be violently reformed."[10] There are hints of open resistance in these documents; but it is clear that, unless the petitions were granted, force was the only remedy. The state of affairs justified even civil war: it was intolerable that so great a part of the commonwealth as the protesting Lords represented should be forced into hypocrisy by dread of the stake. In modern times a mere "Disruption" would have ensued. In the sixteenth century, compromise, or peaceful secession, was practically impossible. One religion must conquer, and abolish, or try to abolish, the other. Even in their petitions the Protestants denounced the religion of their fathers and of their queen as "damnable." The two hostile forms of Christianity could not live together in one country. The quarrel must be decided by the sword.

It certainly could not be decided by public disputations. That method was attempted. While the early spring of 1559 was being spent in the negotiations for the Peace of Cateau Cambresis, a Catholic scholar was using his pen to aid his cause. Quentin Kennedy, a younger son of the second Earl of Cassilis by his wife, a daughter of Archibald, Earl of Argyll, was a good representative of the Church. Kennedy had studied at St Andrews and Paris, and was vicar of Penpont. In 1558 he published his 'Compendius Tractive,' a reply to the Protestants. He argues that the Scriptures are the witnesses to the will and purpose of God, but merely the witnesses, not the judge. The witnesses must be examined and cross-examined, and the Church alone is the judge, where difficulties of interpretation arise. "The wicked opinion of some private factious men . . . sets at nought the interpretation of ancient General Councils." It is in vain to say, "Why should not every man read the Scripture to seek out his own salvation?" Every man is not competent. How can every private reader decide, for instance, as to doubted questions of text and rendering? There is no opinion but some text may be wrested into its justification. To ask (as Wallace did) to be judged by the Scriptures is to ask an impossibility.[11] Such, with copious rein-

forcements from the Bible and the Fathers, is Kennedy's doctrine. In March 1559 he was challenged to dispute with the preacher Willock at Ayr. Willock, says Kennedy, had been making great play, in sermons, with Irenæus, Chrysostom, Origen, Tertullian, and other Fathers. "I perceived the craft of the knave, who, expecting no adversary, cited such doctors, believing that their works had not been in this country"; and, indeed, there can have been no great sale for Tertullian's works in Ayrshire. But Kennedy possessed these and other authors. He reduced Willock to admit that he only accepted his own Fathers, "as far as he thought they were agreeable with the Word of God." On the day of the proposed disputation, four or five hundred Ayrshire theologians assembled to back Willock. Kennedy could have brought twice as great a "tail," but he foresaw a riot. Nothing else could be expected. A theological discussion would have degenerated into a clan battle.[12]

Already the din of social revolution was heard. On January 1, 1559, a notice had been fastened on the gates of religious houses. "The beggars"—the poor, halt, and maimed—demanded "restitution." The alms and the wealth of the religious foundations, they said, were their own: they would claim all, and evict the religious, on Whitsunday. Of course the poor never got the "patrimony" which they claimed in "The Beggars' Warning." The example of England might have warned them that the Reformation there only deepened social oppression. The nobles kept the wealth of the clergy, though perhaps the populace helped themselves at the sacking of churches and abbeys. In Edinburgh the town council seized and sold the treasures of St Giles' (October 1560).

While these affairs show the drift and the methods of the great debate, in official religious politics we are told by Knox that the godly trusted Mary of Guise, and rebuked those who thought her promises hypocritical.[13] But at the moment of the general Peace of Cateau Cambresis (April 2, 1559) the Regent "began to spew forth and declare the latent venom of her double heart." The treaty provided that neither realm should assist the enemies or shelter the rebels of the other. The Regent might hope that Elizabeth would keep the treaty. At Easter "she commanded her household to use all abominations," and insisted on knowing when every one received the sacrament. After this "it is supposed that the Devil took more violent and strong possession in her," so much

so that she "caused our preachers to be summoned"; among them were Willock and Paul Methven. When remonstrated with, she blasphemed and told Glencairn and the sheriff of Ayr that princes need keep no more of their promises than they pleased. The summons to the preachers, however, was postponed.[14]

Here accuracy of dates is desirable. In a transcript of a MS. 'Historie of the Estate of Scotland' we do get an approach to dates, and an account of the events, unlike Knox's. It is here said that the preachers were summoned, in the end of December 1558, to appear at St Andrews on February 2, 1559, and that the summons was postponed. "We ceased not most humbly to sue her favours," writes Knox, "and by great diligence at last obtained that the summonses at that time were delayed." The anonymous writer explains the nature of the humility and the "diligence" of Knox's version: "The brethren . . . caused inform the Queen-Regent that the said preachers would appear with such multitude of men professing their doctrine, as was never seen before in suchlike cases in this country." This was the traditional Scottish way of controlling justice. Mary of Guise, fearing sedition, caused the bishops to postpone the case, and summoned a convention at Edinburgh "to advise for some reformation in religion." The date was March 7, 1559, and a helpless Provincial Council was held at the same time. Acts were passed for the reform of the lives of the clergy, and some "Articles" suggested by the moderate Catholics were considered. But nothing was done to any purpose.[15] The Protestants dispersed: the bishops bribed Mary, says the anonymous writer, and on March 23 a statute denounced death against unauthorised preaching and administration of the sacrament. In April the preachers were summoned, under pain of outlawry.[16] According to Knox, this final summons was for May 10, at Stirling. Knox himself arrived in Edinburgh on May 2. He went to Dundee, after writing on May 3 to Mrs Locke, "Assist me, sister, with your prayers, that now I shrink not when the battle approacheth." On this occasion he had a powerful band of supporters. Dundee was full of the gentlemen of Angus, who accompanied the preachers to Perth, "without armour, as peaceable men, minding only to give confession with their preachers." Lest such a crowd should frighten the Regent, Knox says that they sent Erskine of Dun to inform her of their peaceful purpose. She begged him "to stay the multitude, and the preachers also, with

promise that she would take some better order." Erskine wrote to the evangelists in Perth, some of whom acquiesced, others wished to march on Stirling, until "a discharge of the former summons should be had." Knox was now in Perth. The Queen-Regent, "perceiving that the preachers did not appear" on May 10, had them outlawed. Erskine retired from Stirling to Perth, "and did conceal nothing of the queen's craft and falsehood." Consequently the multitude, in spite of "the exhortation of the preacher and the commandment of the magistrate, . . . destroyed the places of idolatry," the religious houses in Perth.[17]

To the havoc wrought at Perth we shall return. The torch of civil war was lighted, a thing inevitable; for the Government could not for ever endure the contumacy of the preachers, and the Congregation, if they left their pulpitmen to the law, would be stripped of every rag of honour. The conflict, then, must have come; but was it precipitated by an act of explicit treachery on the part of Mary of Guise? This is the theory of several of our historians. Mary "promised to *withdraw* the citations," but broke her promise, says Hill Burton.[18] Mary "declared that if the people" (at Perth) "would disperse, the preachers should be unmolested, the summons discharged, and new proceedings taken, which should remove all ground of complaint." So Tytler:[19] adding that, "relying on this premise, the leaders sent home their people." Dr M'Crie avers that Mary promised that she would put a stop to the trial, and that "the greater part" of the Protestants "returned to their homes."[20] The doctor then blames "the wanton and dishonourable perfidy" of the Regent. Dr M'Crie often cites the MS 'Historie of the Estate of Scotland.' Here it contradicts Knox—and is not cited. Mr Froude remarks, "Protestant writers say that the Regent desired them" (the preachers) "not to appear, and then outlawed them for disobedience" (that is, for non-appearance), adding, "This is scarcely the truth."[21] Yet, on the next page, Mr Froude writes that Knox, on arriving at Perth, "found the summons withdrawn." Now Knox himself does not tell us in his History that the summons to the preachers was withdrawn. The Queen-Regent "promised that she would take some better order," vague enough. Some of the leaders of the Congregation, says Knox, distrusting Mary's vague promise of taking "some better order," desired that the summons should be withdrawn; but Mary, "notwithstanding any *request* made in the contrary, perceiving that the preachers did not

'compear,' gave commandment to put them to the horn"—that is, to outlaw them and their abettors. Erskine of Dun then left Stirling and explained the situation to the Reformers in Perth.[22] Mary's vague promise to Erskine caused the multitude at Perth to "disperse," according to Mr Hill Burton; according to Mr Tytler, "their leaders sent home the people," and thus Mary's treachery secured its end. But Knox, who was in Perth, says that "the whole multitude with their preachers stayed." To be sure, Knox, writing to Mrs Locke from St Andrews six weeks later (June 23), gives a version different from that in his History.[23] He says that the Queen-Regent bade the multitude to "stay" (at Perth) "and not come to Stirling, which place was appointed to the preachers to compear, and so should no extremity be used, but the summons should be continued" (postponed) "till further avisement, which being gladly granted of us, some of the brethren returned to their dwelling-places." Mary then summoned the preachers, and outlawed them on their non-appearance. Here Mary's guilt lay in persevering with a summons which she is said to have promised to "continue till further avisement."

All this is contradicted by the anonymous, but Protestant, 'Historie of the Estate of Scotland.' "Albeit the Queen-Regent was most earnestly requested and persuaded to continue" (that is, to defer the summons), "nevertheless she remained wilful and obstinate" (that is, did not "continue" or postpone the summons). . . . "Shortly, the day being come" (May 10), "because they appeared not, their sureties were outlawed" (really they were fined), "and the preachers ordered to be put to the horn."[24] On this (and not before), Erskine of Dun, having visited Stirling to speak to the queen, "perceiving her obstinacy, they [who?] returned from Stirling, and coming to Perth, declared to the brethren the extremitie they found in the queen." They then sacked religious houses.[25] Here we find no word of even a vague promise of deferring the summons: Mary is said to have refused to do so. The author "inspires confidence," says Mr Hume Brown, because "certain of his facts not recorded by other contemporary Scottish historians are corroborated by the despatches of d'Oysel and others in Teulet."[26] Finally, Sir James Croft, writing from Berwick on May 19, says that the preachers, with a train of 5000 or 6000 men, repaired towards Stirling, but were put to the horn, and the nobles commanded to appear before the Regent at Edinburgh. They had sent Erskine of Dun to ask the Regent to permit a public disputation. She outlawed him.[27]

The account which most modern historians really rest on is that of Buchanan.[28] He says that the Regent asked Erskine to send home the multitude, and promised that in the meanwhile she would attempt nothing against any of the faith. Many therefore went home. Nevertheless the Regent put the preachers to the horn. But, if we accept Knox's History, *the whole multitude* stayed at Perth, and did not go home at all. In his letter *some* went home. If the Regent's promise was conditional, depending on the dispersion of the crowd, she broke no promise. Such, and so confused and contradictory, is the evidence for Mary's perfidy. Probably Knox's letter of June 23 is the most trustworthy account, though it clashes with his History. Mr Tytler's charge of "treacherous precipitation" against the Queen-Regent is decidedly too absolute.

The real occasion of the outbreak was the habit of trying to overawe justice by tumultuous assemblages. The ruin and wrack wrought at Perth were such as characterise revolutions. The Christians on the fall of Paganism; the Huguenots at Orleans; the French in 1793, were equally or even more destructive to buildings, books, and works of art than the Reformers in Scotland. Knox was certainly conscious of the blame which attaches itself to wasteful and wanton destruction. He says that "neither the exhortation of the preacher nor the commandment of the magistrate could stay them from the destroying of the *places* of idolatry," as we have seen. But places are one thing, objects of art are another. The preachers, before May 11, had instructed the multitude that God commands "the destruction of the monuments of idolatry." Consequently, when the sermon of May 11, at Perth, "was vehement against idolatry," the inevitable consequences followed. After the sermon a priest did his duty, and performed mass, opening "a glorious tabernacle that stood on the high altar." "A young boy" cried out that this was intolerable. The priest struck him, and the boy, like Smollett in youth, "had a stane in his pouch." He threw it, and struck the tabernacle. The whole multitude destroyed the works of art, and while the gentry and "the earnest professors" were at dinner the rascal multitude sacked the Franciscan monastery. From the Charter-House, founded by James I., the prior is said to have been allowed to take away as much of the gold and silver as he could carry. Men "had no respect to their own particular profit, but only to abolish idolatry." Yet "the spoil was permitted to the poor." Of the religious houses only the walls were left

standing.[29] Priests were forbidden to do the mass under pain of death, a significant fact which our historians usually overlook.[30] Mr Tytler never alludes to it. The idea of Knox and his friends appears to have been that where they held a town, such as Perth, Catholics might not exercise their religion except at the price of the death of their priest. On the other hand, if the Catholic clergy elsewhere persecuted Protestants, Knox and his allies promised to treat them as murderers, as shall presently be shown.

Clearly, if either set of persecutors were murderers, both sets were; but as the Reformers were a law to themselves, and broke the law of their country, they were the less excusable. On hearing of the acts of destruction at Perth (locally said to have been done by men from Dundee), Mary of Guise summoned Argyll, Arran, and Atholl, and "all the nobility." She is said by Knox to have threatened to sow Perth with salt, especially resenting the destruction of the Charter-House, "sacred as the burial-place of the first of the Stewart kings," says Mr Froude. But James I. was not precisely the first king of his House.[31] Knox meanwhile was in Perth. Expecting the Regent's arrival there with French troops, he received reinforcements of the godly, who began to fortify the place. On May 22 they wrote a letter to the Regent. They assured her that they would risk a thousand deaths rather than "deny Christ Jesus and His manifest verity." They did not add that they meant to inflict death on priests whose theory of Christ's verity differed from their own. They bade the Regent leave them unharmed till they "received answer" from Mary Stuart in France, and the Dauphin.[32] This letter meant open rebellion to constituted authority. The writers were but "a very few and mean number of gentlemen," who described themselves, in a letter to the nobles, as "the Congregation of Christ Jesus in Scotland." They defended their conduct, as usual, out of the Bible, and pointed out that the apostles had been dissenters in their day, "did dissassent from the whole world." The difference, perhaps, was that the apostles did not sack the Temple and fortify Jerusalem against Rome and the Jews. For this behaviour no New Testament warrant was cited.

Knox avers that "we required nothing but the liberty of conscience," a strange request from men who doomed priests to death. Reformers and Covenanters alike desired "liberty of conscience" for themselves. It included refusal of such liberty to their opponents. Another

letter was addressed to the clergy, "To the Congregation of Antichrist, the pestilent prelates and their shavelings." If they persist in persecution, they "shall be apprehended as murderers." "We shall begin that same war which God commanded Israel to execute against the Canaanites." The writers had summoned their adherents, and knew that they had a strong backing.[33] The Protestants occupied a strong position; but Ruthven, Provost of Perth, and later a murderer of Riccio, joined the Regent. On May 25 the Regent sent Argyll, Sempill, and the Lord James to confer with the barons and lairds who headed the Congregation. Of that body Argyll had been one of the earliest members, and Lord James too was reckoned godly. In 1558, according to Lesley, Lord James, Prior of St Andrews and Macon, asked Mary, in France, to give him the earldom of Murray. Mary, however, tutored by the Regent, advised him to pursue in a holy spirit the ecclesiastical career for which he had been trained, and she held out hopes of a bishopric. Consequently Lord James hated the Regent.[34] In fact, in 1559, Lord James was a Protestant, and had nothing of the prior—save the revenues. He and Argyll, meeting the insurgents at Perth, were told that these gentlemen demanded nothing but liberty of conscience (for Protestants) in that town. Lord James said that, according to the Regent, "they meant no religion but a plain rebellion." They meant both. Knox told the envoys that "God's written Word being admitted for judge," he would prove the Regent's creed to be mere superstition. Of course he was to be himself the interpreter of God's written Word, and therefore could prove exactly whatever he pleased.

He added that the Regent's attempt would end in her confusion. She was already in the worst of health. The Queen-Regent's forces lay at Auchterarder, between Stirling and Perth. With d'Oysel, their leader, the faithful made an arrangement. No inhabitant of Perth was to suffer for the recent riot: "religion" was to "go forward"; the queen was not to leave French soldiers in Perth when she passed from it. D'Oysel, knowing that the brethren of the west, under Glencairn, had reached Perth by forced marches, spoke peacefully, and Argyll and Lord James began to arrange terms. Knox lectured these two lords for their desertion of the godly; however, the terms were settled on May 28, and on May 31 Argyll and Lord James, vowing to join the rebels if Mary proved false, renewed, and signed, a "band" with the

Congregation. Boyd, Glencairn, and Ochiltree also signed this league for mutual defence, and for the destruction of idolatry.[35] The faithful then scattered, wrecking churches on their homeward ways, "breaking down the altars and idols."[36] Argyll and Lord James, though sent by Mary to negotiate for her, had actually signed the band that pledged the godly to commit these outrages!

Soon after the disturbances, which dated from May 11, began, Mary wrote (May 17) to Henri II. of France. On June 1 he replied, expressing his anxiety, promising to send *une bonne force de gens de guerre* on receipt of her reply. He was determined to "exterminate traitors," and fight "in the quarrel of God." On June 11 Cardinal Guise advised the Queen Regent, if victorious, to imitate Mary Tudor, and cut off the heads and chiefs of the Protestant rebels. This was advice which the good Mary of Guise would never have taken.[37]

The queen entered the distracted town of Perth on May 29. She found the religious houses ruinous, the altars destroyed, and, probably, an excited populace, for all the people of Perth were not Protestants. A child was shot, perhaps by accident.[38] The Catholics celebrated the mass as best they might: the French were billeted on the town, and, according to Knox (who is not corroborated by documents), Ruthven was removed from the provostship and superseded by Charteris of Kinfauns. Between their families the post had long been a subject of deadly feud.[39] On departing, the Regent left four companies of Scots in French service, maintaining that she had only promised not to leave Frenchmen. There is a decided distinction between Frenchmen and kindly Scots under French colours, but the Regent is again accused of perfidy. Even James VI. accepted the charge, quoting Buchanan.[40] According to Buchanan (who here often coincides almost verbally with Knox), the queen's action brought her into public contempt. Argyll and Lord James left the queen, alleging that they could not be partakers of her perfidy (June 1). What their own loyalty had been we have noted.

At this point and onwards it is necessary to criticise with perhaps tedious minuteness the evidence for the charges of perfidy against Mary of Guise. That she could be double-faced is certain from Sadleyr's account of her diplomacy in 1543.[41] But historians have made her broken promises the occasion of all the mischief which occurred at Perth and was to follow throughout Scotland.

While these charges are dubious, or exaggerated, there is no doubt at all about the duplicity of her Protestant opponents. It must be remembered that this part of Knox's History was written, perhaps as a kind of manifesto, as early as October 1559.[42] The author has to conceal, and even to deny flatly, such matters as his own and his party's intrigues with England. He labours to prove that his faction was not *politically* disloyal—which it was. By way of palliation, he has to insist on the perfidy of the Regent. Indeed he did so from the pulpit, before the ink of the Arrangement of Perth was dry. He said, "I am assured that no part of this promise made shall be longer kept than till the queen and her Frenchmen have the upper hand." He was quite right; the articles were pre-adjusted with a defect which gave the means of discarding them.[43]

To St Andrews Argyll and Lord James, after leaving Mary, went, summoning their allies. Whether they were honestly indignant, or merely were seeking the first pretext for returning to their old allies, is debated. Was the Regent to abandon the priests of her faith in Perth to the death denounced by the Protestants?[44] And if her co-religionists were to be protected, as Mary had no feudal array, and had promised to trust no Frenchmen, whom could she leave except Scots in French service? This difficulty is only evaded by ignoring the Protestant death-sentence on priests. The Regent, of course, had other reasons for holding so strong a post as Perth, a walled city.

The godly now did unto St Andrews even as they had done unto Perth. They called the Perth rioters into St Andrews for June 3. They came, with Knox in their company. He preached at Crail and Anstruther: the usual destruction followed.[45] By this time, if not before, Knox knew what effect followed his sermons: he no longer writes, "neither could the exhortation of the preachers, nor the commandment of the magistrate, stay them from destroying of the places of idolatry." The Archbishop, riding into the town with a hundred spearmen, vainly tried to deter Knox by threats from preaching at St Andrews. The Queen-Regent with her forces was at Falkland, the temper of the town was uncertain, but Knox declined to be intimidated. On Sunday he preached on the purging of the temple.[46] "The Magistrates, the Provost and Bailies, as the commonalty for the most part within the town, did agree to remove all monuments of idolatry, which also they did with expedition." "Their idols were burned in their presence,"

says Knox to Mrs Locke, speaking of the clergy. Concerning the details of the destruction little is known. "In this time all churchmen's goods were spoiled and reft from them, in every place where the same could be apprehended, for every man for the most part that could get anything pertaining to any churchmen thought the same as well-won gear." So writes the 'Diurnal of Occurrents' on July 14, 1559 (p. 269). The Cathedral of St Andrews, the Mother Church of Scotland, contained, like the temples of ancient Greece, objects of priceless value and of immense antiquity. The crucifix of St Margaret; the arm-bone of the apostle in its golden case, adorned with jewels of gold by Edward I.; with other gifts of royal and noble donors, had been, and probably still were, in the cathedral. We have no catalogue of these treasures. But we have a MS. catalogue of "the geir of St Salvator's College." The same document mentions objects retained in private hands for concealment. We read of "six chalices of the best, the Holy Cross, the beryl cross, ten chandeliers, the embroidered cushions in the meikle kist in the Provost's stable." We hear of tapestry, cloth-of-gold, "the big and little tyaste of beryl, with pearls about it." There is also Bishop Kennedy's silver-gilt mace, with figures in relief, representing all orders of spirits in the universe. This mace was decidedly "idolatrous," but such maces alone, with mangled heads of the Redeemer and a saint, discovered by Lord Bute in the drain of the sub-prior's house, survive to attest the wealth and art of St Andrews. The very lead of bishops' coffins has been stolen. The shattered chapel of the Dominicans remains: the Franciscan monastery has vanished. The cathedral is the most gaunt of ruins. We need not suppose that it was destroyed in a day. When once the lead was riven from the roof, the weather, and the use of the place as a quarry, would do the rest.

During these excesses where were the Catholics of Scotland? As a force, ready to defend their sacred things, they did not exist. They could only move under the nobles, and the nobles were Reformers, or neutral, or mere intriguers. Beaton, Archbishop of Glasgow, carried to France some of the sacred things of his Church. Others, from Aberdeen, intrusted to Huntly, later fell into Mary's hands.

Châtelherault and the Archbishop now joined the Regent at Falkland. With d'Oysel they were to march on St Andrews, by Cupar, but Cupar was already seized by the Brethren. They out-

numbered the Regent's force, and on June 13 an arrangement had to be made. Mary was obliged to remove her French, except three sea-board garrisons, out of Fife. A pause of eight days was allowed for a discussion, but Mary sent no envoys to St Andrews.[47] Argyll and Murray wrote to Mary, complaining of the garrison of Scots under French colours in Perth. They say, "Suppose that it" (the clause in the Perth treaty) "was spoken of French soldiers only, yet we took it otherwise, as we still do." They then coerced the garrison in Perth, which evacuated the town (June 25). The abbey and the palace of Scone were next sacked, in spite of the strenuous efforts of Knox and the nobles. Stirling was handled in similar style. Mary retreated to Dunbar, the Congregation entered Edinburgh, found the religious houses already wrecked, and seized Holyrood and the stamps at the mint. On this Mary issued a paper, asserting that religion was a mere cloak for rebellion, and that she had offered to establish liberty of conscience till a Parliament could be held in January, or sooner,—"a manifest lie," writes Knox. Mary declared that the Congregation was intriguing with England, and had seized the stamps at the mint and her palace of Holyrood. Writing four months later, Knox has the assurance to say, "There is never a sentence of the narrative true." They had seized the stamps, but that was to stop the utterance of debased coin. Now the "narrative" is true. As to Mary's concessions, Kirkcaldy says to Percy (June 25) that the Regent "is like to grant the other party" (his party) "all they desire, which in part she has offered already."[48] Are we to believe Knox, or Kirkcaldy? As to the dealings with England, which Mary alleged, Knox had proposed to Kirkcaldy a union with England as against France (June 23). Knox, on June 28, had asked for an interview with Cecil: he was trying, in his own way, to soothe Elizabeth's anger against him, awakened by his blast against "the Monstrous Regiment of Women." It is thus plain that Knox's vehement giving of the lie to Mary is not justified. Indeed he lets out the fact in a later page.[49] He and Kirkcaldy were, as Mary said, intriguing with England. Knox avers that Mary said "they sought nothing but her life," and quotes her proclamation, in which she does not say so. The Reformers were, apparently, aiming at nothing less than to alter the succession to the throne.

The eldest son of Châtelherault, Arran, was captain of the Scots Guard in France, and was a Protestant. Henri II. writes

that Arran has caused scandals in Poitou, and nas fled to escape arrest.[50] He reached Geneva, and was conducted home by agents of Elizabeth. As early as June 14, Croft, from Berwick, wrote to Cecil on this subject. Arran "is very well bent to religion, and, next his father, he is the only help of the realm." If all their imaginations may take place, they intend to presume to motion a marriage, "You know where." That is, the Reformers, asking the aid of England, in contravention of the recent treaty of peace, wished Elizabeth to marry Arran. The result, if successful, must be to place the house of Hamilton on the throne.[51] On June 28 Throckmorton wrote that Whitlowe (an old Scots agent of England under Somerset) proposed a marriage between the queen (Elizabeth) and the Earl of Arran. Mary Stuart understood the situation. She told Mompesat (who had been hunting for Arran) that "he could not do her a greater pleasure than to use Arran as an arrant traitor."[52] These intrigues prove that the Reformers looked to Arran, not to the Lord James, as their future king. Lord James was suspected of aiming at the Crown, but it is probable that this remarkable statesman had no such ambition.

Meanwhile, by occupying Edinburgh, Knox's party had destroyed any shadowy chance of accommodation. Indeed none such could be: to them universal toleration was abhorrent, even had the Regent been in earnest. By July 1, Châtelherault, "with almost the whole nobility," says Kirkcaldy, had joined the Brethren. The Second Prayer-Book of Edward VI. was appointed to be read in churches. The property of the Church was to be, for the present, "bestowed upon the faithful ministers." Knox's hatred of the prayer-book soon swept it away; nor did the faithful ministers get "all the fruits of the abbeys." The Reformers would be content with nothing from the Regent but a general Reformation and the dismissal of the French, which some expected her to grant. This letter of Kirkcaldy's is of July 1, the same day as Mary's charges against the Reformers, which Kirkcaldy may not yet have seen.[53] She continued to negotiate: she had again won over Châtelherault, Knox says, by insisting that Argyll and Lord James were not allowed to meet her in private. A larger meeting at Preston had no effect. Mary insisted that, where she was, preachers should be silent, and she should have her mass. The Reformers had just told her that they desired "liberty of conscience."[54] They now added that *she* must not expect this satisfaction; "neither could we suffer that the right administration

of Christ's true sacraments should give place to manifest idolatry."[55] There was no possibility of dealing with men so intolerant; and Mary temporised, trusting that the levies of the Congregation would break up, as they began to do. Thus July slipped past, the Reformers dealing with England, while in France the desire was to help the Regent.

Cecil had every wish to aid the Reformers, though Knox, at great length, had demonstrated that he richly deserved damnation.[56] Cecil felt that England needed Scotland in opposition to France, where Mary and the Dauphin had assumed the title of King and Queen, and had quartered the arms of England,[57] which implied that Elizabeth was illegitimate. Moreover, Cecil had heard from Throckmorton, in Paris, that the Guises advised death and confiscation against Argyll, Lord James, and others.[58] Cecil, therefore, cautiously encouraged Knox and Kirkcaldy. His difficulty was with Elizabeth. She detested Knox and all rebels against royal authority. Noailles advised Henri to send Mary and the Dauphin to Scotland, where their presence might be pacifying. Arran's flight from Poitou, the mortal wound of Henri II. in a tournament, and news of a French expedition to Scotland, coincided, early in July. On the 8th Cecil bade the Protestants do what they had to do quickly.[59] On the death of Henri, Throckmorton reported that the new queen, Mary Stuart, "trusts to be Queen of Scotland" (July 11). On July 19 the Lords of the Congregation appealed formally to Elizabeth for aid.[60] But as England delayed, and many of the Congregation were scattered, while Erskine, in the castle, threatened to fire on them, the Brethren on July 24 evacuated Leith and Edinburgh, d'Oysel occupying Leith. An arrangement of the most confused kind had been made. The terms are thus stated:—

1. All Protestants, except the inhabitants, shall leave Edinburgh on the 24th.
2. They shall give up the mint stamps and Holyrood; offering hostages for fulfilment.
3. They shall obey the laws, except as to faith.
4. They shall not molest the clergy, or their incomes, before January 10, nor seize their rents.
5. Nor attack churches or monasteries.
6. Till January 10 Edinburgh shall have what religion it chooses.
7. The Regent shall not molest the preachers, nor allow the clergy to do so.[61]

Knox says that his party drew up other articles to this effect:—

1. That no member of the Congregation should in any way be molested for the late innovations, before the holding of a Parliament on January 10.
2. That idolatry should not be erected where it was, at the moment, suppressed.
3. That the preachers should have freedom to preach everywhere they chanced to come.
4. That Edinburgh should not be garrisoned.
5. That the French should he sent away, "at a reasonable day," and no more brought in, without assent of the nobles and Parliament.

Knox then writes, "But these our articles were altered, and another form disposeth, as after follows," and then cites the articles of which we have given the substance (p. 58). He goes on, "This alteration in words and order was made without counsel and consent of those whose counsel we had used in all cases before." He appears to mean that he himself, and perhaps other preachers, were not consulted. Before leaving Edinburgh, the Lords published, as the real agreement, a totally different version. It is not the real agreement, it is merely the arrangement originally proposed by the Protestants, but *without* the article that the French shall be all dismissed by a reasonable day. The Catholics remonstrating against this bad faith, the Brethren declared that these were the actual terms agreed upon, "whatsoever their scribes had after written." Yet Knox calmly admits that the fourth article of the treaty, as given above, securing the clergy from outrages, *was* suppressed, as "to proclaim anything in their favours we thought it not necessary, knowing that in that behalf they themselves should be diligent enough." This is remarkable conduct in persons so sensitive on the point of honour. Not only did the godly accept one treaty, and proclaim that they had accepted another, but they accused the Regent's scribes of fraudulently altering the very treaty which they had accepted, and then themselves had altered.[62] Moreover Knox, in a History written almost at the moment, proclaims this complicated iniquity with cynical candour. The charge which Knox and his party made against "the scribes" is untrue, and Knox knew it. For on July 24, Kirkcaldy, writing to Croft from Edinburgh, announced that his faction had accepted the terms of the Seven Articles as we give them.[63] We need no longer criticise charges of perfidy against

Mary of Guise. They are matched by the confessed perfidy of the godly.

The Brethren retired to Stirling, made a new band, and kept on asking for English aid. Knox, in his History, says that this was done because they distrusted the Regent. He does not here say that he and his party had long been practising with Cecil. In Edinburgh the Protestants held St Giles' Church, and were shocked when the Regent heard mass in the abbey. In the first days of August Knox visited Berwick. His instructions as to dealing with Croft included political and military matters. Alliance and aid, in men and money, were desired. Knox returned, with Alexander Whitelaw, an English spy, on August 3. Whitelaw was unlucky. Lord Seton, mistaking him for Knox, broke a chair on him, "without any occasion offered to him." Knox reports the fact, but does not here say that he himself had been in England.[64] As Laing observes, in the part of Knox's History which was written almost at the time of the events, "the application made for aid from England is scarcely alluded to."[65] Naturally, for Knox was denying that they dealt with England. Little was got from Cecil: with what "authority" in Scotland could he treat? He hinted that Arran, or Lord James, might be selected. However, the Congregation were not wholly neglected. Elizabeth sent Sadleyr to Berwick, and permitted him to expend £3000 in the interests of the Brethren. He was to be very secret, so as not to be found infringing the recent treaty of peace (August).[66]

Thus began a revival of the old English aid to the Protestant party. On the very day when Elizabeth thus enabled Sadleyr to foster rebellion in Scotland, she also wrote to Mary of Guise. She said that Francis II. had informed her that her Border officials had been dealing with "the rebels." She asked for exact information, "that we may take order for punishing the guilty."[67] Elizabeth continued to fable: the Congregation and the Regent issued proclamations and counter-proclamations: French troops arrived at Leith: Arran passed from France through England, and met Elizabeth. She did not lose her heart to him. He joined the Congregation at Stirling: thence the Lords passed to Châtelherault, at Hamilton, where it was determined to resist the fortification of Leith by the Regent.[68] Of all things the Lords wanted more money from England. They bade Mary discontinue the fortification of Leith: she declined, and on October 15

Châtelherault, Arran, Argyll, Glencairn, Lord James, and others entered Edinburgh. The Regent was at Leith. There began a war of proclamations. The Brethren, among other grievances, denounced as ruinous the introduction of French soldiers and the fortifying of Leith. Mary replied that she had not brought in Frenchmen till the Congregation dealt with England; that the attitude of the Hamiltons, next heirs to the Crown, caused suspicion; that the godly had seized and fortified Broughty Castle, commanding the Tay, Perth, and Dundee. This enterprise had been suggested by Knox to Croft at Berwick on July 31. Finally, that she had a natural right to provide herself with a city of refuge at Leith. In answer, the nobles, barons, and burghers, on October 21, deposed Mary of Guise, in the name of her daughter and son-in-law, Francis II. and Mary Stuart.[69]

The Regent had now against her the force of the country, the prestige of the Hamiltons, and the genius of Lethington, who had deserted her. Having been in England for much of the year on the matter of the peace, he soon succeeded Knox as secretary to the Congregation. But that body had its internal dissensions. First, scaling-ladders for the attack of Leith were being made in St Giles' Church, "so that preaching was neglected." This did not suit the preachers. "God would not suffer such contempt of His Word long to be unpunished." The Regent had good spies. Châtelherault was timid, and demoralised the other Protestants. The men of war had already mutinied for want of pay, and threatened to serve any man that would set up the mass again. These were not earnest professors, and now they mutinied afresh. "A collection was made," but few subscribed. Ormistoun was sent to bring money from Sadleyr and Croft, but Bothwell waylaid and wounded him, and took 4000 crowns. After the Dundee contingent had been defeated, with loss of its guns, on November 5, the Congregation were severely handled, and lost the Provost of Dundee. In spite of Lethington's advice, the Brethren fled to Stirling, much railed upon by the ungodly of Edinburgh.[70] The Catholics in Edinburgh seem to have been numerous, even at a much later date, but they were unwarlike. Lethington was now sent by the Congregation to Elizabeth (November 10).[71]

Hitherto the Congregation had been, they declared, innocent as doves. The cry had been "The Word!" "Suppression of Idolatry!" But at this juncture the wisdom of the serpent is more manifest. We

might attribute the change, the diplomatic action, to the counsels of Lethington, were it not conspicuous in the document suppressing the Regent (October 21). Here is no unction, no godliness. The Regent is arraigned for secular offences, and the document ends with a bold falsehood—"the hardy affirmation," as Mr Hume Brown says, "that the step had been taken in the name and authority of their two sovereigns now in France."[72] A secular spirit dominates, probably before Lethington came in, the appeal of the Lords to the princes of Christendom.[73] That statement is a history, and aims at proving a long French conspiracy (which doubtless existed) to make Scotland a French province. Even the tolerance of the Regent is made a charge against her. Tolerance had been granted to Protestant rites, if conducted privately in certain places. The purpose, it is urged, was to induce the nobles to incur the cruel penalties of ecclesiastical law! The document is a patriotic appeal against French machinations. The old tirades against idolatry are absent. The precise date of this appeal, conciliatory to Scottish Catholics, is unknown. It is more like the work of Lethington than of Knox. Elizabeth at this time was herself no better than an idolater. She was restoring the crucifix to her altar, vestments to her chaplains (October 9-27).[74] Elizabeth must be propitiated, hence the caution of the Brethren. Knox himself suggested to Croft the very trick which he denounces when practised by Pedro Strozzi for France in 1548. The French expedition of that year sailed under the Red Lyon of Scotland; "as rebels unto France, such policy is no falsett in princes."[75] Knox now asked for an English contingent; "ye may declare them rebels to your realm."[76] Croft was not sorry to point out the dishonour and futility of the stratagem.[77] In truth, the assumption of the English arms by Mary and Francis might have been taken by Elizabeth as a breach of the peace. But this line she did not openly pursue. She did aid the Reformers, being won over by Lethington.

On November 12 Cecil sent instructions to Croft and Sadleyr. It is clear, he says, that France means to make Scotland a base as against England. To avoid open breach of treaty a few English gunners and engineers, in disguise, may be lent to the Brethren, feigning to be mere soldiers of fortune. Guns may be secretly sent. The Lords should address Elizabeth, inveighing against French atrocities done under sanction of the Regent. They must say that they took up arms to defend the rightful heirs of the Crown—the Hamiltons—

while they remain loyal to Queen Mary. They must say that the French aim is to conquer England and Ireland. They must urge that their assemblage was solely designed to defend their country from conquest. Most of this was untrue. Religion was the primary cause of the Rising. Knox, however, bowed down in the house of this political Rimmon.[78] By December 21 Sadleyr could let Arran and Lord James know that the English fleet was coming to their aid.[79] In the interval the Lords had been sacking Paisley Abbey and denouncing idolaters, under the pretended authority of Francis and Mary. Their proclamations were forgeries.[80] Meanwhile the French had occupied Stirling, and were invading Fife, where both Arran and Lord James rebuffed them with skill and courage. Huntly was pretending that he would aid the Lords with the forces of the North: Lennox, to vex Châtelherault, was urging his own claims to the heirship of the Crown. The French schemes were defeated by the arrival of Winter, with an English fleet, in the Firth. At first the French took the vessels to be d'Elbœuf's reinforcements; on discovering the truth they retreated, in distress, to Leith.[81] The condition of the Queen-Regent was now all but desperate. A French force under d'Elbœuf, for the assistance of the Regent, had been destroyed, as so often was to occur, by "a Protestant wind." The Regent's remonstrances to Elizabeth were answered by cynical prevarications. Winter lied boldly when she censured his action. The Regent herself, within the walls of the castle, was slowly dying. Meanwhile the French provisioned Leith, wasting the country as far as Glasgow, and behaving, says Knox, with horrid cruelty. One poor woman, however, tipped a French soldier into her tub of salted beef, where he died ingloriously.

On February 27, 1560, at Berwick, the Duke of Norfolk and deputies from the Congregation entered into a league against Mary of Guise. Elizabeth "accepted the realm of Scotland" while the marriage of Mary and Francis should last, and for a year later; Châtelherault being recognised as next heir to the Crown, and the old freedom and liberty being safeguarded. As Protector, Elizabeth was to send forces to aid the Congregation. Hostages were to be given. But no due obedience was to be withdrawn from Mary and Francis![82] (In May, later, this document was signed by the nobles, including Huntly, Morton, and the Hamiltons.)[83] To the castle and the protection of Lord Erskine the Regent now retired.

In March diplomacy was busy, while an English army was prepar-

ing to enter Scotland. Elizabeth's position was insecure. Philip of Spain might strike in, as he threatened; and her love of Dudley, with its many scandals and offences, weakened her at home. Châtelherault was said to have written a letter submitting to Francis and Mary: the letter was discovered, and he had to deny what was produced as his own handwriting.[84] But, on the other hand, France was in no posture to succour the Regent. The Huguenot conspiracy of Amboise, fostered by Elizabeth, aimed at killing the Guises and bringing up Francis II. under Protestant rulers; so the Cardinal of Lorraine informed Mary of Guise on March 12.[85] The French Government "knew not where to turn." The Bishop of Valence was sent to London to treat: the French would be content with but a handful of men in Scottish sea-forts. This was wisely refused. On April 4 the reforming Scots and English, now allies, met at Prestonpans. The temporary and fugitive character of Scottish feudal levies on their three weeks' service, and want of money, hampered the English operations. They had the better of a preliminary skirmish against the garrison of Leith; but days of negotiation followed, then came a successful sortie. On April 17 the English silenced, or destroyed, the French guns on the steeple of St Anthony's Hospital. The Scottish Lords assured the Regent that they were the most loyal of subjects, asking no more than the withdrawal of the French. Lord Ogilvy came in from the North, Lochinvar and Garlies from Galloway; but Morton, the son of the foxlike traitor, Sir George Douglas, still wavered, and Huntly promised, but waited on events, exactly as Lovat was to do in far later times. Soon after the Bishop of Valence arrived, and diplomacy hampered the operations. The Regent, as Norfolk wrote, could not easily make terms with subjects who had contracted themselves with, and given hostages to, a foreign prince. She had hopes from Philip of Spain, which came to nothing—a fact foreseen by Lethington. "The mark I always shoot at," wrote Lethington, "is the union of England and Scotland in perpetual friendship,"—a noble aim, but not possible while Mary Stuart was Queen of Scotland. The Lords, with their perpetual protest of loyalty, and in face of Elizabeth's ideas of right divine, could not take the one step which might have prevented the coming tragedies. They could not simply break the succession and place Châtelherault on the throne. Internal jealousies also barred the way, as far as either the House of Hamilton or Lord James (who had been legitimated) was

concerned. Francis II. was assuring the Regent that she would be reinforced by a day she never saw, in the middle of July. The dallying negotiations kept Morton and Huntly hanging off; English batteries were damaging the Leith earthworks, but the French had much the better of it in a sortie. On April 27, the Regent having refused the Lords' terms, they again put their names to a band binding themselves to final perseverance. The French must be expelled, and the offices of State must be held by "born men of the land." Huntly and Morton now at last entered on the enterprise. Huntly had stated his position thus: The nobles of the North, with the Highlanders and Islesmen, were in a pact with the French to defend "the auld manner of religion," and he dreaded an attack from them. He wished also to be confirmed in his local authority, almost that of a viceroy. The Lords reassured him, and the Catholic Cock of the North joined the Congregation!

A letter from the Regent discountenances a boasted prophecy of Knox. On April 29 she writes that "one of her legs begins to swell." "You know there are but three days for the dropsy in this country."[86] A fire had broken out in Leith, but on May 1 the gay defenders crowned the walls with May-poles and May garlands. On May 7 the besiegers gave the assault. They found no practical breach, and the scaling-ladders (having been impiously made to the disturbance of preaching) were six feet too short. The gallant Scottish leaguer-lassies in Leith, true to the Auld Alliance, loaded the muskets for the French, and poured all that was hot and heavy on the heads of the assailants. According to Sir George Howard (May 7), the assailants lost 1000 men, and the survivors were utterly disheartened. Moreover, "the union of hearts" of Scots and English was a failure. "We are so well esteemed here that all our poor hurt men are fain to lie in the streets, and can get no house-room for money." This fact, with the jeers of the inhabitants when the Brethren fled in November, proves that the English alliance, and perhaps Protestantism, were unpopular. The sackings and sermons must have been due to an energetic minority; the majority being "respectables," unarmed, timid, and unorganised. Norfolk now sent to England for money and reinforcements. The English were deserting: even money brought in very few Scots. Famine was the hope of the besiegers. Knox says that the Regent beheld the battle of May 7 from the castle, and laughed, and went to mass when she

saw the Lilies float victorious on the walls of Leith. The French having stripped the dead, and left the white bodies below the wall, the Regent said, "Yonder are the fairest tapestry that ever I saw," and wished that the whole interjacent fields were in like wise carpeted. In those days there were green fields between Edinburgh Castle and Leith, and no smoke. Conceivably the Regent, if long-sighted, may have seen a line of corpses. Knox replied from the pulpit, and prophesised "that God should revenge that contumely done to his image, . . . even in such as rejoiced themselves." "And the very experience declared that he was not deceived, for within few days thereafter (yea, some say that same day) began her belly and loathsome legs to swell."[87] But, as the Regent's letter of April 29, already quoted, shows, her dropsy began before that day, and she expected death. If Knox knew this (and the Regent's letter as to her dropsy had been intercepted by his party), he prophesied on a certainty and after the event: in any case, the premonitions on which he plumes himself were erroneous. His inspirations made part of his influence, or he tried to use them in that way, so the facts are worth noting.

On May 10 the Regent proposed a conference "to save Christian blood." Lord James, Ruthven, Lethington, and the Master of Maxwell were sent to her. She had asked for Huntly and Glencairn. Mary said that she was desirous to "remove the French." The envoys, however, found, as Lethington reports, that she could not "digest" their compact with England. She asked leave to see d'Oysel and another Frenchman (indeed how could she treat without them?), but this was refused. Probably she wept. "Her blubbering is not for nothing," Norfolk said. "Few days in the week does she otherwise," wrote Grey. The Regent died after midnight on June 10. She had seen Châtelherault, the Earl Marischal, and Lord James, with whom she spoke for an hour. These critics "found her mind well disposed to God, and willing to hear anything that is well spoken." With a supreme courtesy she listened to Willock the preacher.[88] Knox must have heard what passed from Willock, perhaps also from Lord James. He declares that Mary repented of her policy, and blamed Huntly and her "friends"—the Guises, as in Scots "friend" means "relation." The Lords wished her to send for "some godly learned man, for these ignorant Papists that were about her understood nothing of the mystery of our Redemption." She admitted to Willock

"that there was no salvation but in and by the death of Jesus Christ," as surely any orthodox Catholic might do. Some said that she was "anointed of the Papistical manner." It is probable that she was. The apostle least loved of Knox, St James, was her warrant.[89] The same author writes, "The wisdom that is from above is first pure, then peaceable, gentle, and easy to be entreated, full of mercy and good fruits, without partiality, and without hypocrisy." Little, indeed, of this wisdom prevailed in either party at this period. In the Regent at her death we see this spirit, and almost in her alone. "She embraced, and with a smiling countenance kissed the nobles, one by one, and to those of inferior rank who stood by she gave her hand to kiss, as a token of her kindness and dying charity."[90]

Knox shows his charity, after his narrative of her death, by a sneer at the legitimacy of her child, Queen Mary. *She* has no spark of any virtue of King James V., "whose daughter she is called."[91] Perhaps Knox owed his life to the Regent. Throckmorton reports, on the evidence of the official of the Archbishop of St Andrews, that Mary of Guise was advised, by the Bishop of Amiens and others, to call a full Parliament and turn it into a Bartholomew massacre. D'Oysel would not permit the massacre, and the Regent's good-nature could not agree with such extremity and cruelty.[92] Before the Regent's death Cecil and other commissioners had been negotiating with French envoys for peace at Newcastle. On June 16 they moved to Edinburgh, and long negotiations ensued. A week's armistice permitted French and English to lunch on Leith roads: the French brought a capon, roasted rats, and horse-pie; the English contributed better provender. Randolph was struck by certain of the godly, who publicly confessed their sins after sermon, a practice more entertaining than edifying. He hoped to see the Archbishop's mistress do penance, but probably he was disappointed (June 22).[93]

The treaties, which were at length concluded on July 6, were a fertile source of mischief. Francis and Mary had given their representatives the fullest powers conceivable, "even though something should fall out which might appear to require a more copious instruction."[94] Yet, on a point concerning the usurpation of the English arms and title by Mary and Francis, the French emissaries denied that they had authority to treat or conclude "concerning these particulars."[95] The treaty with England confirmed that of

Cateau Cambresis (which Elizabeth had broken). It then provided for—

(i.) The removal of French and English forces, except 120 French in Dunbar and Inchkeith.

(ii.) All warlike preparations were to cease.

(iii.) Eyemouth was to be dismantled, a Berwickshire sea citadel.

(iv.) Mary and Francis were to disuse the English title and arms.

(v.) On certain points connected with this, Philip of Spain was to arbitrate, if necessary.

(vi.) By a vague and shuffling clause Elizabeth was recognised as having not wrongfully contracted her engagement with the Lords. That Elizabeth had any kind of right to Scottish allegiance (as under the treaty of Berwick, February 27), the French envoys had determined to deny.[96] The French had "special instructions which they could not disobey, . . . not to dishonour their master with noting that he was forced by the Queen of England to observe anything towards his own subjects."[97]

Now, if the shuffling clause (see Keith, i. 294) admitted the right of the Lords to contract with Elizabeth, Mary and Francis had also a right to refuse to ratify a clause concluded against their precise orders. And if the clause meant mere compliment, as, on the face of it, it does, for the purposes of the Lords and Elizabeth it was valueless. The clause asserted that Mary and Francis desired to have their benignity to their subjects attributed to the good offices of Elizabeth, and *therefore* Mary and Francis shall fulfil all the concessions now granted to their subjects. If this means anything, it means that Elizabeth exercised interference between the Scots and their king and queen. Mary and Francis could not ratify that. Meanwhile, what were the terms arranged on July 6 between Mary Stuart and her rebels?—

(i.) No foreign soldiers were henceforth to be introduced without the consent of the Estates, and only 120 French were to remain in Inchkeith and Dunbar.

(ii.) The works at Leith were to be demolished.

(iii.) Mary and Francis were to pay the arrears of the French troops.

(iv.) A Parliament might be called on July 10, and adjourned till August 1, *if Francis and Mary consent;* business not

to be done till August 1. The Parliament is to be as valid as if called by command of Mary and Francis.

(v.) War and peace shall not be made without consent of the Estates.

(vi.) The Estates shall select twenty-four persons, out of whom Mary shall choose seven, the Estates five, to be a Council of twelve.

(vii.) No strangers nor clergy shall occupy high offices.

(viii.) Proclaims a general amnesty, except to persons whom the Estates deem unworthy.

(ix.) Parliament shall be summoned according to custom, and those shall appear who have been wont to appear.

(x.) Old scores between the Congregation and persons not of the Congregation shall be forgotten.

(xi.) This also applies to the French.

(xii.) All armed gatherings not by order of Council shall be held rebellious.

(xiii.) Complaints of aggrieved clerics shall be considered by the Estates, and reasonable reparation made. The property and persons of the clergy shall not be disturbed, and disturbers shall be pursued by the nobility.

(xiv.) The nobles are to bind themselves to keep these terms.

(xv.) Deprived Scots, as Châtelherault, are to be restored to their French properties, and the third son of Châtelherault released from prison at Vincennes.

(xvi.) Relates to the artillery in the country: what is to be restored to France, what left.

(xvii.) As to matters of religion, the nobles shall send representatives to Francis and Mary; these men shall carry the ratification of the treaty by the Estates, and receive the ratification by the king and queen.[98]

Peace was now proclaimed, but it was no peace.

NOTES TO CHAPTER III.

[1] Knox, i. 276-290.

[2] Knox dates this on April 28, *after* the Remonstrance of the Lords of the Congregation to the Regent. But the Remonstrances were apparently made in July and in November 1558 (Knox, i. 302-309; Keith, i. 181, note 1).

[3] Act. Parl., ii. 505. [4] Pitscottie, xxii. 23.

[5] Buchanan, fol. 189; Lesley, 496. [6] Knox, i. 257-261.

[7] Buchanan, fol. 190; Keith, i. 179, 180. [8] Knox, i. 307.

[9] Act. Parl., ii. 502, 504. [10] Knox, i. 309-314.

[11] Kennedy in Miscellany of Wodrow Society, i. 97-174.

[12] Miscellany, Wodrow Society, i. 261-277. [13] Knox, i. 315.

[14] Knox, i. 315, 316. Buchanan here reads like a translation of Knox.

[15] Robertson, Statut. Eccles. Scot., i. clv, clxiii.

[16] Wodrow Miscellany, i. 55, 56. [17] Knox, i. 317-319.

[18] Hill Burton, iv. 65. [19] Tytler, vi. 98 (vi. 114, 115. 1837).

[20] M'Crie, Life of Knox, i. 257. 1831.

[21] Froude, vi. 227 (1898), note 1, citing Croft's letter of May 19.

[22] Knox, i. 318, 319. [23] Knox, vi. 21-27.

[24] The proceedings are published by Dr M'Crie from the Treasurer's Accounts.

[25] Wodrow Miscellany, i. 57. [26] Hume Brown, Knox, ii. 4, note 1.

[27] Calendar, i. 212, 213. Croft's actual words are less explicit than the version in the Calendar.

[28] Buchanan, fol. 190. [29] Knox, i. 322, 323. [30] Knox, vi. 23.

[31] Knox, i. 324; Keith, i. 193; Froude, vi. 229.

[32] Knox, i. 326, 327. [33] Knox, i. 329-336.

[34] Lesley, p. 497. [35] Knox, i. 339, 345.

[36] Wodrow Miscellany, i. 58. The band pledging the godly to these acts, and signed by Lord James and Argyll, is in Knox, i. 344, 345.

[37] Archives des Affaires Étrangères. Angleterre, xv. foll. 24, 25, 26, 27, MS.

[38] Knox, i. 345; Wodrow Miscellany, i. 59. [39] Knox, i. 346, note 1.

[40] See Hume Brown, Knox, i. 345, note 2. [41] Sadleyr, i. 84.

[42] Knox, i. 383. [43] Knox, i. 343.

[44] Knox is the authority for this measure, in his letter to Mrs Locke (Knox, vi. 23). Dr Hay Fleming observes that death was also denounced, by Scots law, against poachers who shot "at" wild fowls, and, by Mary of Guise, against eaters of flesh in Lent (Mary Stuart, p. 219).

[45] Knox, i. 347.

[46] Knox, i. 347, 349: the dates are rather confused. [47] Knox, i. 353, 354.

[48] Knox, i. 365; For. Cal. Eliz., i. 337. [49] Knox, ii. 22.

[50] Teulet, Documents Relatifs à l'Histoire d'Écosse, i. 312, June 21. Paris, 1862.

[51] For. Cal. Eliz., i. 316. [52] For. Cal. Eliz., i. 340, 341.

[53] For. Cal. Eliz., i. 349, 350. [54] Knox, i. 366. [55] Knox, i. 369.

[56] For. Cal. Eliz., i. 208. [57] For. Cal. Eliz., i. 313.

[58] For. Cal. Eliz., i. 357. [59] For. Cal. Eliz., i. 365.

[60] For. Cal. Eliz., i. 389. [61] For. Cal. Eliz., i. 406, 407.

[62] Knox, i. 376-381. [63] Calendar, Bain, i. 231-234.

[64] Knox, i. 392, 393. Cf. ii. 32. [65] Knox, ii. 33, note 1.

[66] For. Cal. Eliz., i. 459, 460. [67] Teulet, i. 340, 341.

[68] Knox to Croft, St Andrews, Sept. 21. Works, vi. 79-81.
[69] Knox, i. 444-449. [70] Knox, i. 465. [71] Calendar, i. 263.
[72] Hume Brown, Knox, ii. 52. [73] Teulet, ii. 1 *et seq.*
[74] De Quadra to the Bishop of Arras. Froude, vi. 268, note.
[75] Knox, i. 216. [76] Calendar, i. 256, October 25.
[77] Sadleyr, i. 524. [78] Sadleyr, i. 570-573.
[79] Sadleyr, i. 649. [80] Keith, i. 246-248.
[81] For. Cal., ii. 329-334. For the general affairs of the war, Knox to Railton, January 29, 1560, p. 344.
[82] Keith, i. 258-260. [83] Knox, ii. 53.
[84] March 21. Calendar, i. 335. [85] Calendar, i. 331.
[86] Calendar, i. 389. [87] Knox, ii. 68.
[88] Randolph, June 8. Calendar, i. 422. [89] James v. 14. [90] Keith, i. 279.
[91] Knox, ii. 72. The account of the siege of Leith, and of the Regent's death, is mainly from Mr Bain's Calendar, vol. i., and from Knox. Mr Froude gives a full and lucid account of the diplomatic embroilments with France and Spain at this moment, but these are parts of English rather than of Scottish history. There is a MS. diary of the siege in the French Foreign Office archives, which I have consulted; and there are letters on the Regent's death from Captain Cullen (Affaires Étrangères. Angleterre, xv. foll. 113-119).
[92] For. Cal. Eliz., iii. 344. October 10, 1560. [93] Calendar, i. 430.
[94] Keith, i. 308. [95] Keith, i. 293.
[96] Froude, vi. 377. De Quadra to Philip, June 7.
[97] Froude, vi. 394. Cecil to Elizabeth, July 2. [98] Keith, i. 298-306.

NOTE.

The archives of the French Foreign Office contain a hitherto unpublished report from d'Oysel to Francis and Mary. They had asked in November 1559 for full information, and d'Oysel had consulted "black Mr John Spens," later accused of a share in Darnley's murder. Spens then examined a cloud of witnesses as to the rebellion of Châtelherault and Arran, and their deposition of the Regent. We learn that they compelled James Cortry, or Cokky, to engrave a counterfeit seal of Mary and Francis, which they used on their various proclamations and public letters. The same artist was employed to make new dies for fresh coinage. Of the letters an example is given (January 24, 1560), an appeal to Errol to join the Congregation. The writers announce that they have sought English aid: solely in the interest of Liberty and pure Religion. The first name among those who sign is "James" (a royal signature), indicating Lord James Stewart, Mary's natural brother.

There follows the record of a curious kind of trial of the rebels, held at Holyrood (?) in February 1560. The first witness is James Beaton, Archbishop of Glasgow. Another witness is Lord Robert Stewart, Mary's natural brother. A third is James, Earl of Bothwell, "aged twenty-four years, or thereabout," so that Bothwell was a man of thirty or thirty-one when he married the queen. The seal-maker appeared, and told how he was compelled to make a counterfeit seal, which Arran at once used to seal two letters in his presence.

For the rest, the record rather corroborates than adds to our information. (Affaires Étrangères. Angleterre, xv. 131-153, MS.)

CHAPTER IV.

THE REFORMATION CONSUMMATED.

1560–1561.

THE Peace of Edinburgh brought no peace but a sword. The reason is that the treaty was never ratified by Francis and Mary. In their refusal, implying the persistence of Mary's claim to the English throne, began the deadly feud with Elizabeth which only closed when the axe fell at Fotheringay. It has been said, perhaps with truth, that the ratification was denied on account of the clause requiring the utter renunciation of the style and arms of England. "Yet it was necessary that this reason should not be uttered by Mary, and that procrastinations, devices, and casual excuses should be found for withholding the ratification which had been emphatically promised to whatever terms the representatives of France would conclude."[1] We have already seen that their powers were absolute, but that the French envoys had instructions *not* to submit to any claim, on Elizabeth's part, to interfere with Mary's rebels. But such claim had been passed, or been insinuated into clause vi. (p. 68) of the treaty with England.[2] How far this contravention of private instructions invalidated the public commission to the envoys, diplomatists must decide. But, that question apart, the ratification of the concessions to the Lords depended on their fulfilment of certain clauses in the arrangement with them. These conditions they broke—"impudently violated," says M. Philippson, the biographer of Mary, who does not think that this affected the *English* treaty.[3] Francis and Mary had thus a right not to ratify the Scottish agreement, with which, however, the English treaty, by clause vi. (*supra*), seemed to them to be linked. Mr Hume Brown remarks that, while "there has been much discussion as to the legality of the meeting of

the Scottish Estates,"—which followed the treaty,—"the question is set at rest by certain letters of Francis II. himself. From these letters it distinctly appears that Francis regarded the treaty of Edinburgh as perfectly valid."[4] He did,—until the conditions of the treaty were broken by the Estates, before it was submitted to him for ratification. His letter to the Bishop of Limoges, his ambassador in Spain, is of July 28. Despite the injustice of the terms, he says, he puts up with them, *je me suis accomodé*. But when even the hard conditions were infringed, the whole case was altered. Mr Tytler says, "We cannot blame either Mary or the Guises for their steady refusal to ratify the treaty."[5] In what manner the Estates broke the conditions will appear in the course of the narrative.

The first important step of the Lords was taken on July 19. A public thanksgiving was held, Knox officiating, at St Giles'. Thereafter the Commissioners of the Burghs, with certain nobles and barons, appointed districts to preachers. All such religious matters, it may be argued, had been explicitly omitted by the negotiators of the arrangement (clause xvii.) It was there provided that the "Convention of Estates" shall send "some persons of quality" to Francis and Mary, "and remonstrate to them the state of their affairs," especially as to religion. Religion, said the treaty, is of such importance that these and other questions are judged proper "to be remitted to the king and queen." But no "persons of quality" were ever sent, either to "remonstrate" or to carry the ratification. One man only was sent, much later, Sandilands, second son of Sandilands of Calder, and he of quality deemed not "sufficient."[6]

In the distribution of districts, Knox took St Giles' in Edinburgh; Methven, "to whom was no iniquity then known," got Jedburgh. Aberdeen, Perth, Leith, Dundee, and Dunfermline were also provided for. As "Superintendents," Lothian received John Spottiswoode, of an old house, later Cavalier; Willock took Glasgow; Erskine of Dun (a layman) Angus and the Mearns; Carswall saw to Argyll and the Isles; and Fife was committed to the versatile Wynram, sub-prior of St Andrews, who had sat at the trial of George Wishart. Many of the clergy of St Andrews were, like him, brands plucked from the burning. The Reformation was, in great part, the work of the "advanced" clergy, but Wynram came in late.

The Parliament, opened on July 10, met and began business on August 1. The treaty was infringed at once, in a point of great

constitutional interest. It had been provided (clause ix.) that "it shall be lawful for all those to be present at that meeting *who are in use to be present: tous ceux qui ont accoustumés de s'y trouver.*"[7] But crowds of persons *not* "accustomed to be there" appeared and claimed seats. This was "an unusual element," says Mr Hume Brown, and, as being unusual, it was forbidden by the treaty. The treaty did not say, "All may appear who by an ancient and disused custom or Act have a right to appear." The right was strictly limited by customary usage. "In a space of seventy-three years scarcely had *one* of the inferior gentry appeared in Parliament. And therefore I know not but it may be deemed somewhat unusual for a hundred of them to jump all at once into Parliament," says Bishop Keith, perhaps especially as the treaty had prohibited the "jump."[8] "It had to be pointed out to the House that their claim went so far back as the reign of James I." (in 1427). The Act of James I.[9] said that the "small barons need not come to Parliament," and that consequently representatives were to be chosen on the English system. This never held, and the claim of small barons rested on an ancient and an unrepealed but disused Act, or on obsolete custom. It was an infringement of centuries of usage, unless the barons were duly elected on James's plan. Their plea was referred to the Lords of the Articles, and they seem to have sat and voted.[10] Six were added to the Lords of the Articles; if the practice worked well it was to be ratified as a perpetual law.[11]

Another point arose. Between July 10 and August 1 the treaty provided that "the Lords Deputies" shall send envoys to Francis and Mary, reporting the permission to hold a Parliament (or Convention), "and supplicate them most humbly that they would be pleased to agree."[12] Was any such deputation ever sent? Had Francis and Mary been "pleased to agree"? Certainly not before August 10, as we learn from Randolph, writing to Cecil on that date. "Their first sitting will be on Thursday," the 15th. "They intend shortly to send Dingwall, the Herald, to France with the names they choose" (for the Council), "*and for the king's and queen's consent to this Parliament.*"[13] Between the 10th and the 17th August, when the Confession of Faith was passed *en bloc*, Dingwall could not go to France and return with the royal consent. Mr Hume Brown writes: "The treaty had been signed on July 6, and since that date there had been time for a royal commissioner to arrive in Scotland." Yes, but nobody had been sent by the Lords, as under treaty, to ask for a royal commissioner. "But by

the very fixing of the meeting of Estates at so early a date it had been implied that no commissioner was needed to constitute the meeting a legal assembly."[14] Three weeks had been granted by the treaty for the very purpose of enabling the Estates to legalise their meeting. They did not adopt the necessary means.

The Arrangement of Edinburgh was torn to rags by the Estates. The Convention which established the new Creed was absolutely illegal. This, however, is a matter of mere academic interest. The Convention was revolutionary, and revolutions are laws to themselves. The assemblage of the "small barons" to consult on the public affairs would have marked, if continued in practice, a beneficent advance in the national and political education of Scotland. In older Parliaments from ten to twenty greater barons would gather. In 1560 we count one hundred and six small barons, all of noble names, including Sandilands of Calder, whose quality was insufficient. It is curious to observe how many of the names are still attached to the old lands.[15] There are only five Celtic names, and these from the low countries, with one Campbell of Glenurquhard. There is not a single "Mac." In the Regent Moray's Parliament of 1567 the crowd of small barons is conspicuously absent: so far from the "custom" insisted on by the treaty was this revolutionary assembly. Meanwhile "the bishops dare not come out of the castle for hatred of the common people," wrote Cecil on June 21.[16] Apparently it was the crowd of new-comers, with the burgesses, who now put in a petition to the Estates. They asked for condemnation of the "pestiferous errors" of the Church. The clergy "live in whoredom and adultery, deflowering virgins and corrupting matrons." Remedy is invited. As the Pope "takes upon him the distribution and possession of the whole patrimony of the Church" (which, really, had in Scotland long been seized by the nobles for their cadets), the Word is neglected, learning despised, schools not provided for, and the poor "not only defrauded of their portion, but scandalously oppressed." This must be remedied. The Pope, in fact, was not evicting poor cottars, and the remedy, in some ways, proved no better than the disease. The petitioners offer to prove that "there is not one lawful minister in all the rabble of the clergy." They are all "thieves, murderers, rebels, and traitors." Let them answer to the charge, or be rendered incapable of a voice in Parliament.[17]

After a harangue by the Speaker, Lethington, and preliminaries, the petition was read, and certain ministers were asked to draw up

a Confession of the Faith of Scotland for the future. This was done in four days. The Lords of the Articles had been chosen, the Spiritual by the Temporal, the burgesses by themselves. "The two old bishops are none of the [Lords of the] Articles."[18] In fact, the "Spiritual" Lords now included laymen, like Lord James and others, holders of Church lands and titles. The Confession seems to have been ready about August 15, and the Archbishop of St Andrews was permitted to have a copy. The document had been first submitted to Lethington and Wynram, men of this world. Randolph says that they "mitigated the austerity of many words and sentences, which sounded to proceed rather of some evil-conceived opinion than of any sound judgment. The *author*" (observe the singular) "of this work had also put in this treaty a title or chapter of the obedience that subjects owe unto their magistrates." Lethington and Wynram "gave their advice to leave it out."[19] Knox prints this chapter (xxiv.) While acknowledging the civil rulers as of divine institution, it is announced to be their duty to put down the old Church, "suppressing of idolatry and superstition." To resist the Supreme Power ("when doing that which appertains to his charge") is to resist God's ordinance. It follows, apparently, that to resist a ruler who does *not* put down idolatry, is legitimate enough. The consequence, for Mary Stuart, is obvious.[20]

Randolph's remark on this important point is perplexing. By Knox's account, Wynram was one of the makers of the Confession; why, then, should he help Lethington to amend it?[21] Again, the chapter on the Magistrate still stands in Knox's published Confession. Dr Mitchell suggested that the draft of the chapter may have contained something as to the *limits* of obedience; as, practically, it still does. In a Genevan formula we are not to obey the ruler if he commands what God forbids—that is, of course, whatever we please to say that God forbids. "God is to be obeyed rather than men." In practice this meant that the preachers were to be obeyed rather than the magistrate. Now, though Dr Mitchell does not remark it, this theory of his tallies with Randolph's words as to the peccant chapter: it "contained little less matter in few words than hath been otherwise written more at large."[22] Randolph may here refer to one of the Genevan books. Knox, of course, acted later, in opposition to Mary, on the Genevan maxim. The articles on Baptism and the Sacrament, as Mr Tytler

remarks, closely follow the Articles of Edward VI. The general complexion, as Dr Mitchell shows, is of the purest Geneva. Into the theology we cannot enter deeply. "We utterly abhor the blasphemy of those that affirm that men who live according to equity and justice shall be saved, what religion so ever they have professed," is one sweeping statement. The old Church is "that horrible harlot, the Kirk Malignant."

As to the interpretation of Scripture, the article is a reasoning in a circle. "We dare not receive and admit any interpretation which directly repugneth to any principal point of our faith," for *our* faith is based on our own interpretation of the Scripture. Interpretation "appertaineth to the Spirit of God," who, we presume, has officially guided Knox and Calvin and other framers of *our* faith,—a fact which, of course, needed to be proved. On this point hinged the later troubles of James VI. with the preachers, who claimed to interpret by direct inspiration. As to ceremonies; such as men have devised "are but temporal, so may and ought they to be changed, when they rather foster superstition than that they edify the Kirk using the same." On the article as to the Holy Sacrament it were unbecoming to enter, but it certainly bears the impress of a lofty mysticism. The sacrament is no mere commemoration. "The bread which we break is the communion of Christ's body, and the cup which we bless is the communion of his blood." The Confession, according to the learned Dr Mitchell of St Andrews, an admirable and amiable example of the Kirk of the last generation, displays "a liberal and manly, yet reverent and cautious spirit." The liberalism, to a liberal age, seems dubious; and, if the Scots are really a logical people, they may think the logic of chapter xviii. rather womanly than "manly." The authors, indeed, protested that if any man noted anything "contrary to the Scriptures," they were ready to offer him "satisfaction fra the mouth of God, that is, from His Holy Scriptures," or else emendation. But the Parliament swallowed the whole Confession — only some five laymen and three bishops dissenting. With an irony too fine for the occasion, which Lethington reported, and no doubt appreciated, the prelates of St Andrews, Dunkeld, and Dunblane, with *two* peers, said that they "were not ready to speak their judgment, for that they were not sufficiently acquainted with the book."[23] Indeed, if Hamilton, still an "idolater," had read the book to the end, he

would have learned that such as he were to be "tormented for ever, as well in their bodies as in their souls." But perhaps he had not reached this appalling passage. According to Knox, who varies from Randolph, among laymen only Atholl, Somerville, and Borthwick dissented from the expeditious compendium of the counsels of Eternity. They "produced no better reason but 'we will believe as our fathers believed'": not a bad reason for laymen. "The bishops, papistical we mean, spoke nothing." Does this imply that there were other than papistical bishops, or are converted bishops the subject?

The attitude of the prelates and priors was imbecile. If the Convention was legal, they should have attended in force and voted. If it was illegal, they should have protested and withdrawn. It is said that Châtelherault menaced his brother, the Archbishop, with death if he spoke out. The tale is improbable. Nobody could be afraid of Châtelherault, and Randolph represents the brothers as on the most convivial of terms.

On August 24 three Acts were passed. One abolished the Pope's authority, and all jurisdiction by Catholic prelates; another repealed the old statutes in favour of the old Church; the third denounced against celebrants or attendants of the mass, for the first offence, confiscation and corporal punishment; for the second, exile; for the third—death. All magistrates, in town or country, were to be inquisitors of this wicked heresy.[24] The tables were turned. Persecution was nominally direr than it had commonly been in the days of the Regent. But in practice things moved otherwise. The Catholic rites were but rarely practised, and then secretly, as a rule. The preachers, Lesley says, urged the enforcement of the penal statutes later; but "the humanity of the nobles must not be passed over in silence, for at this time few Catholics were banished, fewer were imprisoned, none was executed."[25] Secular sense and mercy resisted the furious theocrats. From at least one contemporary monarch Knox and his faction might have learned Christian justice and mercy. That monarch was the Sultan. In a paper of foreign intelligence of November 1561 we read "the Grand Turk commanded" a Christian prisoner "to be let alone, not wishing to bring any from his religion by force."[26]

Apparently more Acts were passed in August 1560 than are set down. Bishop Keith, who died in 1756, a prelate of the suffering Church Episcopal in Scotland in Hanoverian days, was naturally a

Jacobite. From another Jacobite, Father Thomas Innes, of the Scots College in Paris, he received transcripts of certain documents of this period. They were preserved by James Beaton, Archbishop of Glasgow, who left Scotland with the French forces in July, and, later, was Ambassador at Paris for Mary and James VI. An article of the Arrangement of July 6 (xiii.) had ordered that the complaints of injured ecclesiastics were to be heard by Parliament, and that none should disturb them in the enjoyment of their property. Now, from a paper of Beaton's it appears that the churchmen "gave in their bills" for redress, but did not appear to defend and urge their cases. Meanwhile the leases let off collusively by the Archbishop of St Andrews, the Bishops of Dunkeld and Dunblane, the Priors of Whithern and Pluscarden, and the Abbot of Crossraguel were to be nullified, with all such leases granted since March 6, 1558.[27] As to clerical property, we have other evidence. Archbishop Hamilton, writing on August 18 to Beaton in Paris, says, "All the bills they keep them as yet, and no man's livings or houses restored, and yours and mine in special. I cannot say what they will do after this." He adds, "All these new preachers persuade openly the nobility, in the pulpit, to . . . slay all kirkmen that will not concur and take their opinion." They especially urge Châtelherault to slay his brother or imprison him for life. In the same spirit did Goodman, an English preacher in Scotland, urge Cecil "not to suffer the bloody bishops in England to live."[28] Fortunately the State was not utterly in the hands of the preachers.

As to the non-appearance of the Scottish bishops to urge before Parliament their claims to their property, on August 28 the Archbishop's factor, Archibald, wrote to say that, on the last day of the Parliament, the Lords of the Articles called on the bishops, who had all gone away "because they would not subscribe with the Lords of the Articles, and therefore they were called because of their departure." Keith remarks that Knox and Buchanan leave this vague because they had not the skill "to varnish over this dirty job with any appearance of equity."[29] Francis II. regarded the "dirty job" as another infringement of the compact of July 6.

Here we may approach the famous Book of Discipline, though it does not seem yet to have been presented to the Estates. This book, drawn up by Knox and other preachers, must have been finished by August 25, 1560, when Randolph says that it was being translated for Calvin, Beza, Bullinger, and others in Geneva and

Zurich. Randolph saw that the authors would not accept the Anglican prayer-book, which had for a while been used in Scottish churches, though they did not refuse to consult the English doctors.[30] Randolph's opinion was correct. We are now to consider the new model of the Church, or Kirk, in Scotland. The nature of the Kirk is but little understood in England, yet an organisation which still endures, whether in the Established or the other Churches, successors of that of Knox, deserves attention. We have seen that for a while the Prayer-Book of Edward VI. was used, possibly with modifications, in Scotland. But Knox's revised opinion of that work is expressed in a letter of April 6, 1559, to Mrs Locke. He says that he will never counsel any man to use the English Prayer-Book. It is vitiated by "diabolical inventions," such as crossing at baptism, kneeling at the communion, "mummelling," or singing the Litany, and a relative neglect of preaching. Mr Parson patters his "constrained prayers," and Mr Vicar, "with his wicked companions," is a "mass-monger."[31] In place of the prayer-book, the Book of Discipline of 1560-61 preferred what is often called 'The Book of Common Order,' which was used by Knox's congregation at Geneva, was based, apparently, on the 'Liturgia Sacra' of Pollanus (itself founded on Calvin's service), and was accepted by the General Assembly of 1564.[32] The Order lasted till 1637, when the effort was made to introduce Laud's Liturgy.

As to what has been called "Knox's Liturgy," the Book of Common Order, it is confessedly not a set of "constrained prayers" to be used without deviation, but merely a model or guide. The minister may repeat the prayers, but he may vary at will, saying *something* "like in effect." Before the sermon he "prayeth for the assistance of God's Holy Spirit, as the same shall move his heart."[33] The doctrine appears to have been that the minister was directly inspired. We read of ministers with "a great gale on them," like the disciples at Pentecost. The writer is informed, by a modern Cameronian, that he has been present when an aged Cameronian preacher seemed to be under this "gale,"—in the psychological phrase his was "automatic speaking."

If I correctly understand Knox's doctrine, the enormous influence in politics which he claimed for the preachers was based on their direct inspiration by the Spirit. A Scottish service then proceeded thus: First, the minister read aloud one of two Confessions, or spoke words "like in effect." No directions are

given as to the posture of the people, but probably they stood up at prayer. The Confessions are backed by a long array of marginal texts, and the first refers to the "shame" of "our miserable country of England," for it was used at Geneva by an English congregation. A psalm is then sung, "in a plain tune"; then the minister prays as the Spirit moves him; then follows the sermon, usually political or doctrinal, and of great length. Then followed, with such variations as the minister preferred, a prayer for "the whole estate of Christ's Church," directed against "the furious uproar of that Romish idol," but including a petition "for such as yet be ignorant." Next came the Lord's Prayer, then the Creed, then a psalm, and last, one of two benedictions. But "it is not necessary for the minister daily to repeat all these things, but, beginning with some matter of confession, to proceed to the sermon" (always the main business), "which ended, he either useth the prayer for all estates before mentioned, or else prayeth as the Spirit of God shall move his heart." As a matter of practice, the Creed and the Lord's Prayer came to be omitted. Wodrow (about 1714) has a touching story of a very old minister, who astonished his congregation by using the Lord's Prayer. He explained that, for once, he wished to do what all Christians were doing.

There is a form for baptism, and for the communion, where the minister may use words "like in effect." As a rule, long and many sermons preceded the communion. In burial there are "no ceremonies," but the minister goes, after the interment, to the church, "if it be not far off," and preaches on death and the resurrection. Such was "Knox's Liturgy." It is intended as a mere guide, and there is intentional licence for variation. "Free prayer" came to be preferred. Hence James VI., in England, is reported to have held that "it was a shame to all religion to have the majesty of God so barbarously spoken unto, sometimes so seditiously that their prayers were plain libels, girding at sovereignty and authority; or lies, being stuffed with all the false reports in the kingdom."[34] The prayers, in fact, were political discourses, chiefly against James. The prayers, as many of us know, have become not extemporary, but, in great part, a collection of formulæ, derived from oral tradition. When extemporary, they are occasionally "barbarous," as when a probationer said, "O Lord, keep one eye on the minister of this congregation," whereat broad smiles beaconed from the minister's pew.

Such were, and such became, the services of "the Trew Kirk."

They were constructed so as to give the Spirit of God free play, and the bare burials were arranged on purpose to check the superstitious opinion that the departed soul might receive any benefit. As for the organisation of the Kirk, it was based on the Book of Discipline, which, again, rested on the Book of Common Order. All who preach or minister the Sacraments must first be "orderly called." Knox's own call, in St Andrews Castle, has been described. The processes were election, examination, and admission. "It appertaineth to the people, and to every several congregation, to elect their minister," though, as we shall see, a different theory was later put forward. If this be neglected for forty days, the superintendent's church presents a man. Examination was conducted in one of the chief towns, "before men of soundest judgment, . . . and before the congregation." The candidate had to interpret an appointed passage of the Bible. He was then examined in the chief points at issue with the enemies of Christian religion, such as Rome, Anabaptists, and Arians. He then confessed his faith "in diverse public sermons." If the Kirk presented one candidate and the people another, the man of the people's choice, if learned enough, was preferred. No man was to be violently "intruded." The morals of a candidate were carefully examined, in his own district. No ceremony was used on admission. The apostles, indeed, practised "the laying on of hands, yet, seeing the miracle is ceased, the using of the ceremony we judge not necessary." Not that miracles had really ceased; the Spirit still moved men, but did not necessarily move, or inspire, or consecrate them, as a result of human imposition of hands. In no long time the "imposition of hands" became the rule. In addition to ministers, there were readers, in cases where no qualified minister could be found.

Gouda, the Papal Nuncio, says, "The ministers are either apostate monks or laymen of low rank, and are quite unlearned, being cobblers, shoemakers, tanners, or the like." Yet he admits that the few Catholic preachers "seldom venture to attack controverted points, being indeed unequal to the task of handling them with effect."[35] The fifth head of the Book of Discipline introduces us to a third order, that of superintendents. They were not bishops, and were a purely provisional rank in the Kirk. "Differences between preachers" (the superintendents receiving higher stipends) were only made "for this time."[36] Ten or twelve men were appointed to each of the provinces, to journey

throughout it, preaching as they went, seeing to the sacraments and church discipline, presiding at meetings of the provincial synod, and at examinations of ministers and readers.[37] There was no consecration of the superintendent by other superintendents. In fact, the superintendent, for various reasons, was nothing less than a bishop. There were to be, for these and other officers of the Kirk, due stipends, with pensions, education, and dowries for widows, sons, and daughters. The superintendent, having expensive duties, was to have a higher salary. Provision for the poor and for education was insisted upon. "Fearful and horrible it is that the poor . . . are universally so contemned and despised." This had not been so in the better days of the Church. "In times past," says Latimer, speaking of his youth, before the Reformation, "men were full of pity and compassion, but now there is no pity. . . . When any man died, they would bequeath great sums of money towards the relief of the poor. . . . Charity is waxen cold; none helpeth the scholar, nor yet the poor; now that the knowledge of God's Word is brought to light, . . . now almost no man helpeth to maintain them."[38] The Romish doctrines of Purgatory and of Works had been overthrown, and in Latimer's remarks we see the temporary results.

As for schools, each church ought to have a schoolmaster, capable of teaching Latin and grammar at least. All children must be educated, rich and poor, the poor being supported "on the charge of the Church." Those adapted for the higher education (including Greek) must persevere therein till the age of twenty-four. Into the regulations for the universities space does not permit us to enter; for some years the universities suffered from the confusions of the age.

The sixth head of the book is an appeal to the Lords "that ye have respect to your poor brethren, the labourers of the ground, who, by these cruel beasts, the Papists, have been so oppressed." They should only pay "reasonable teinds," "that they may feel some benefit of Christ Jesus, now preached unto them. With the grief of our hearts we hear that some gentlemen are now as cruel to their tenants as ever were the Papists"; the tyranny is now that of "the lord or laird." Gentlemen must live "on their just rents." The "teinds" are inherited from "thieves and murderers." The whole revenue of all cathedral churches should be given to the universities and superintendents. The Kirk and the poor were to be the heirs of the Church. This could not be carried.

In January 1561 a number of nobles signed the Book of Discipline, but "others, in their mockage,"—namely, Lethington,—"termed it 'devout imaginations.'"[39] "There was none within the realm more unmerciful to the poor ministers than were they which had greatest rents off the churches." Even the signers of the book guarded "vested interests," only providing that "the bishops, abbots, priors, and other prelates and beneficed men who have adjoined themselves to us, keep the revenues of their benefices during their lifetime, they sustaining the ministry and ministers." "This promise was eluded from time to time."[40]

The chapter on Ecclesiastical Discipline was even politically important. The Kirk corrected the faults not reached by civil justice, but she also, in the last result, corrected them by secular means. The State should punish adultery by death: the Kirk kept her eye, very sedulously, on simple fornication. An offender was first spied out, and admonished privately, apparently by the elders: if impenitent, the minister admonished him: if still recalcitrant, he was, after sufficient delays and exhortations, excommunicated—that is, universally boycotted, perhaps for profane swearing or drunkenness. All Estates are subject to this discipline; so that the Kirk could cut off from all human intercourse, except that of the family, the queen if she swore, or the Chancellor if he broke the Seventh Commandment.[41] To carry her ideas into action, the Kirk needed a police. This she found in the elders, who had to observe the morals even of the ministers. Finance was the province of the deacons. "Prophesying"—that is, discussion of the Scriptures—was to be done weekly in towns. The organisation of Church government was not yet complete. The General Assembly came to have jurisdiction over the whole Kirk: each province had its synod, and the kirk-session served for "one or more neighbouring congregations." The germ of the presbytery was in the weekly meetings of ministers and elders for "exercise," or "prophesying." The whole scheme was more completely evolved later, but the First Book of Discipline contains the seeds of the organisation. Naturally it included the usual denunciations of idolatry. It involved a system of *espionnage*, and interference with private life, which (if we may judge from the cases recorded in kirk-session reports) produced little or no effect on sexual morality, always the main subject (with witchcraft and Sabbath-breaking) of inquisition.

The Reformation, now organised, gave the Scots a theology in

which the Brethren could believe. Its austere ethics, more than its "discipline," fostered righteousness of life. Its clergy, far unlike the old churchmen, set admirable examples of private conduct. In the worst ages the Kirk cherished education. But the spirit of gentleness, the detestation of cruel punishments, and the humaner virtues did not rapidly arise under the armed and iron sway of the Kirk. Her ministers arrogated to themselves a kind of infallibility in matters political. No longer members of a miraculous caste, some of them prophesied, and were credited with the power of healing diseases and other supernormal gifts. A long struggle between Kirk and State, king and preacher, lay before Scotland.

After sketching the organisation of the new Kirk, we may glance at a more speculative theme. What was the genesis, what the nature, of the new theology and religion of Scotland? These have exercised strange powers of attraction and repulsion among people of later times. Among believing men, Wesley and Samuel Johnson were at one in regarding Knox and Knox's creed with extreme aversion. On the other hand, men like Mr Froude and Mr Carlyle, whose Calvinism was purely platonic, are constant in praise of the Reformer and his doctrine. Why did Scotland choose Calvinism, and so dig a new and scarcely passable gulf between herself and England, with which the Protestants desired union? It is an easy, and not a wholly untrue, reply that Knox had lived in Geneva, and brought Genevan ideas home. Another opinion is that Calvinism had a kind of elective affinity for the Scottish national genius. "In the theology of the Calvinistic system the Scottish intellect found scope for that dialectic which has always been its natural function." So writes Knox's latest biographer.[42] But was "abstract dialectic" the "natural function" of the Scottish intellect? Since very early ages of scholasticism, it is not easy to remember the names of any Scots who were abstract thinkers. Poets they had, diplomatists, scholars, soldiers, and lawyers. But *au fond* the Scottish mind is practical. The Scottish speculations on man's destiny, and relations to the Supreme Being, soon came to be expressed, with grotesque precision, in the formulæ of the Scottish law of contract. That is the very reverse of abstract dialectic.

After Wishart's day, and after the day of the English Prayer-Book of Edward VI., the Scottish preference for the Calvinistic system was caused by two motives. First, of all eligible

systems Calvinism was most remote from Rome. Secondly, Calvinism was the cheapest system, entailing no expense on archbishops, bishops, deans, canons, cathedrals, and other luxuries. For these the new lay holders of Church lands were determined not to pay: they could scarcely be compelled to afford the starveling stipends of the ministers. The influence of Knox's Genevan associations must also be admitted. If Calvinism "met the highest needs of the national mind," it also harmonised with the national instinct of "hauding a gude grip of the gear," and with the desire of the godly to escape as far from everything Roman as possible. Despite the supposed national genius for abstract thought, it is plain, as Mr Hume Brown not very consistently, but very frankly, enables us to observe, that Calvinism meant a strenuous economy in thinking. "When Knox had extracted his theological system from the Bible" (which he did "by the ingenious combination of texts divorced from their natural and historical meaning"), "and held it in his hand embodied in an elaborate Confession of Faith, his labour as a thinking agent was at an end." "To add to this compendium or take from it was alike an impiety which deserved due penalties in this world, and would certainly ensure them in the next." Yet Knox's system "to a large extent would have been unrecognisable by any writer either in the Old or New Testament."[43]

Perhaps the dangers of varying from Knox's "compendium" are here exaggerated. Of course if the critic is right, if everything safely thinkable had been thought out by Knox and could be read in his book, a people with a genius for abstract dialectic would have rejected the book, or would have intellectually starved. Their thinking was presented to them ready-made, with the imprint *ne varietur* Practically, some people, and some preachers, must think. We know certainly that the later children of "the second Reformation," of the Covenant, had their speculative perplexities. The Memoirs of Halyburton, a famous St Andrews preacher of the early eighteenth century, show, in a very touching style, how his youth was a long battle with doubt. Evidence even as to the existence of a Deity was to him, as he says in oddly modern phrase, "a felt want." He fell back on subjective experiences. Ideas arose from his sub-consciousness which he could only explain as suggestions of the devil. Grant a devil, and there is no difficulty in granting the existence of a Deity. We know from

the memoirs of poor uneducated Presbyterians that every modern problem as to Revelation was familiar to their minds. They saw that there were many creeds: what evidence existed to prove that theirs was the genuine belief? They had to fight for the life of their souls, like men of later days. The system of Knox obviously reposes on a circular argument. The Bible is absolutely inspired, though Knox thought that the apostles had moments of defective inspiration when their words did not harmonise with his conclusions. Apparently he, John Knox, was always inspired. But he could not bring all the world into this belief. When the question arose as to the interpretation of Scripture, Knox had got rid of the infallible Church, and the only substitute was the infallibility of popularly elected preachers, or of preachers elected by the extant preachers of the day. On this point he did not like to be catechised. There was his "compendium"; it must be swallowed, like the little book in the Apocalypse. Thus Knox's system really owed its charm to its thriftiness of thought and money,—its concrete, practical character.

While theology stood thus, the religion, for its ethics, went back to early Christian morality, without the "sweet reasonableness" of the founder of the creed. Compare Knox in his conversations with Mary, and St Paul in his dialogues with Festus and Felix, or in his speech at Athens. The morality of the Kirk was austere and primitive where sexual sins were concerned. It was not in the spirit of the Master's words to the woman of Samaria, or to the woman taken in adultery, or to her out of whom seven devils were cast. Even in denouncing avarice and oppression, Knox speaks more like Amos than with the persuasiveness of St James or St John. The persecuting violence of Knox is confessedly modelled on Samuel, Joshua, and Jehu,—on these strange prophets and politicians of a law given "for the hardness of men's hearts." "For Knox, as for Calvin and Luther," says Mr Hume Brown, "Jesus was not the emasculated figure of certain types of Christianity, but as much 'a son of thunder' as any of the ancient prophets."[44] That was Knox's fatal error. It is not "an emasculated figure" who tells the "sons of thunder" that they know not what spirit they are of. Knox was for punishing differences in theological opinion with death. "But I say unto you, Love your enemies, bless them that curse you, do good to them that hate you, and pray for them which despitefully use you, and persecute you; that ye may be the children of your

Father which is in heaven." Not to this text did Knox give ear, but to such words as, "Ye serpents, ye generation of vipers, how can ye escape the damnation of hell?" Knox's gospel had its admirable elements, in its insistence on personal purity in private life, and on duty towards the poor. These precepts were in noble and salutary contrast with the practice of most churchmen during the last four or five generations. Again, the new evangel insisted on veracity, "at least as far as we are able." Men were not to profess belief where they disbelieved, but, alas! Catholics must forswear *their* belief, or at least must abstain from its rites; must profess to believe what they did not believe. The whole theory of the duty of destroying idolaters was congenial to a nation of long-cherished revenges, violent crimes, and deadly feuds. But it was eminently unchristian, as was that "spiritual" hatred which betrayed Knox into scandalous insinuations; and that bullying truculence of tone, which was rebuked by the urbanity of Ninian Winzet. There was, in short, a great deal of "the old man" in Knox's character and gospel. This was natural, and pardonable; but that his gospel and example were ideally excellent, and an unmixed boon to his country, few of his countrymen, who know Knox and his Reformation at first hand, are likely to contend.

How did the Catholics take their new fortunes? Unhappily we know very little on the subject. The country must have seemed strangely desolate to souls of the old faith. The familiar shrines were vacant of their saints. "The blessed mutter of the mass" was silent: the candles were extinguished, the vestments were cut up for doublets, the last incense-smoke had rolled away. In lonely green cleughs of Ettrickdale the chapels were desecrated; the crosses by the wayside had perished; the Angelus no longer called to prayer; the tombs were stripped and spoiled. If all these things had exercised their ministry in stimulating, and consoling, and regulating the religious emotions; if the extreme rites of the Church had fortified men in the hour of death,—the souls that desired them starved.

How much misery this caused we know not, and cannot know. Religious ardour is seldom very common in the world, and perhaps the majority of both sexes who possessed the religious temperament were earnest Protestants. Of the fervent Catholics, lay or clerical, many emigrated, and not a few became distinguished in foreign colleges. The populace most resented the abolition of ecclesiastical holidays: that, probably, was what chiefly galled. Of the

clergy, most abjured, and one monk of seventy seized the occasion to marry. The other priests dressed as laymen: the few religious who were left wandered about in secular costume. "A large number of the common people are still Catholics, but they are so trampled in the dust by the tyranny of their opponents that they can only sigh and groan, waiting for the deliverance of Israel." In any court of law, suitors were first asked "if they were Papists? Should they be, they can get very little attention, if any, paid to their cause." "The monasteries were nearly all in ruins, some completely destroyed; churches, altars, sanctuaries, are overthrown and profaned, the images of Christ and the saints broken and lying in the dust." Official accounts present us with the same picture. In September 1563 the Privy Council considered the case of the Abbey Church of Dunfermline, which still exists, though much depraved by "restoration." The walls were "riven," there was no glass in the windows; it is great peril and danger to bide within the kirk, either in time of prayers, teaching, or preaching of the Word of God. The lay holders of the property, Pitcairn being Commendator, were ordered to keep the abbey in repair, and glaze the windows. This kind of ruin was everywhere.[45] The superintendents, on their rounds, drove out Catholic incumbents. So, two years later, Nicholas de Gouda, S.J., wrote to the General of the Society of Jesus.[46] His narrative makes it clear that the Catholics had neither cohesion nor leaders. Some nobles secretly practised the rites of the Church, but the bishops were, as a rule, timid worldlings, and the few Catholic preachers (with rare exceptions, to be later noted) had scanty knowledge and no skill in controversy.

One exception to the rule has been mentioned, and we must not forget another. Historians of Scotland say little or nothing about Ninian Winzet, a Catholic schoolmaster expelled from his school at Linlithgow. But in Winzet we find a man of courage and of courtesy, who dared to face Knox himself, putting questions which the Reformer did not answer. On February 15, 1562 (to anticipate the course of political events), Winzet, the expelled dominie, asked Mary's leave to propound certain articles to the preachers. Presently, in February, Winzet conveyed to Knox a tractate, 'Is John Knox a lawful Minister?' What Winzet says must be translated, for he prided himself on writing Scots, not English like his adversary. Lawful ministers are (1) those called by God only, and their call is vouched for "by power of the Spirit, or by miracles."

"Where," asks Winzet, "Mr Knox, are *your* miracles wrought by the Spirit?" Knox might have referred to his prophecies, like that about Mary of Guise. He is so fond of dwelling on his successes as a prophet that probably he did regard them as proof that he was called by God. They were not of a nature to satisfy hostile criticism. Next, if Knox was called by men, "had they lawful power thereto, like the ministers called by the apostles?" This was an awkward question, for we know the nature of Knox's call. Other unpleasant questions were asked.[47] On March 3, 1562, Winzet complained that Knox had not noticed him "in writing privately," as he desired, but had only preached on the subject. He directed his letter "Raræ eruditionis facundiæque viro, Joanni Knox"—"To John Knox, a man of singular learning and eloquence." He had ended his note, "Farewell in Christ, and endeavour to let truth prevail, not the individual man." Knox probably answered, for on March 10 Winzet responded. Knox had objected that John the Baptist was called by God, yet wrought no miracles. Winzet replied that his prophecies about Christ were fulfilled. Amos was another example cited by Knox in support of his own call. But Winzet replied that Scripture vouched that Amos was sent by God, and that visible signs were shown to him by God. Even so, Amos did not assume to hold the authority of High Bishop of Jerusalem, "as ye do at present of the Primate of Scotland, in Edinburgh."

On March 12 Winzet returned to the charge. He wanted a written answer, not a sermon. Knox has renounced his orders, as given by a Popish bishop. Why does he not, by parity of reasoning, renounce his baptism? On March 31 Winzet addressed the Edinburgh magistrates. The occasion he states himself. On Easter Monday the doors of Catholics had been marked with chalk by order of the bailies, probably for some reason of religious police. Next day the doors of Calvinists were found marked in the same way. These occasions of disturbance put Winzet on thinking "how happy a thing it were if every man might live according to his vocation *at ane tranquillity in godliness.*" His thoughts then turned to his profession, and he marvelled that, in many towns, there was not so much as a schoolhouse, while, in the general cry for reformation, so few children were even taught grammar. Here was a point on which Knox and Winzet were at one. Winzet now remembered the themes for Latin prose which in his happy days as a dominie he had set to boys

"more able to learn than I was to teach." "Sedition," he thought, would have been a capital subject for his pupils, and on this, to beguile his melancholy, he composed an essay. This manuscript was copied, and handed about among Catholics, and at last Winzet had it printed (May 24, 1562). Winzet's appeal to the magistrates, however, was earlier than the printing of his treatise, being of March 31. He reminded the bailies how Solon denounced all neutrals in civil strife. On this matter of the Easter hubbub *he* must not be neutral. Therefore, after praying for "peace among all professing our Lord Jesus," he looked into the history of the prohibited Easter festival. He found St Augustine testifying to the antiquity of the practice even in his own day, and since our Saviour's day. So he "began to marvel at the arrogant temerity of your holy prophet, John Knox, who commands to abolish these solemnities as Popery"—that is, "idolatry." Easter rests on the tradition of the Church. Knox denounces it. But on what does Sunday rest? Merely on the same tradition. Why, then, does Knox pick and choose, retaining Sunday and abolishing Easter and Christmas? The magistrates are invited to induce Knox to answer these arguments *in writing*.

For all reply Knox gives only "waste wind," sermons. The magistrates did not induce Knox to answer. Winzet therefore began to print a treatise of some eighty-three controversial questions. The magistrates seized the book before it was printed, imprisoned and fined John Scott, the printer, and nearly caught Winzet, who slipped out of the printer's house and escaped.[48] Winzet published his book at Antwerp in October 1573. It remains unanswered until this day. The author denounces the secular abuses of the Church as vigorously as Knox himself. The treatment which he received, the refusal or indefinite postponement of any reply, except "waste wind," and the seizure of the book, and persecution of the printer, are highly characteristic. Presbyter, as Milton says, was but priest "writ large." Catholic books were forbidden to enter Scotland, just as Lutheran books had been prohibited. In 1578 Winzet became Abbot of the Scots monastery at Ratisbon. There Mr Laing found his monument, in his canonical dress. "It represents a placid, round, and intelligent countenance, such as we might imagine of a person who had for years enjoyed the ease and retirement of a monastic life."[49] If we believe a MS. Memoir by the son of Lethington, Winzet wrote most of

Bishop Lesley's 'History of Scotland.' The affair of the brave, gentle, usually courteous, and pacific schoolmaster has been dwelt on at length, because it is hardly noticed by Knox's biographers. Even Mr Hume Brown gives it only a footnote of three lines.[50] Nowhere do we find clearer information as to that interesting topic, the position of intelligent and learned Catholics, who wished to reform the Church from within, and without "the mervellis of woltering of Realmes to ungodly seditioun and discorde." In Winzet, then, we find one sympathetic figure, and truly Christian man. For the rest, we know but little about the persecuted Catholics, deserted as they were by the time-serving bishops. Winzet was "shot out of" his ill-paid office and "dear home" because he would not conform. The bishops did conform enough to save most of their wealth. For the rest, we are left to the guidance of fancy.

Scott, in 'The Abbot,' has tried to imagine the condition of the Catholics at this moment. It appears that, like his hero Glendinning, Scotland had never been very devoted to Rome, and readily turned to "more reasonable views of religion." There was no Pilgrimage of Grace. There was as yet no spirit of martyrdom; and scarce three Catholic martyrs. Of all European countries touched by the Reformation, Scotland accepted the new faith at least expense of bloodshed. The very vices and weakness of the Church in Scotland had prepared the way for the least contested of religious revolutions. Again, the thorough-going Puritanism of the Kirk left no grounds for internal quarrels over surplices and altars, vestments, crucifixes, and candles. Had not James VI. succeeded to the English throne; had not he and his son tried to bring in the English or a similar prayer-book and the Order of Bishops, it would have been hard for Scottish theologians to find anything to quarrel about—except so far as their rights to dictate on secular affairs were concerned, for the heresies of the early eighteenth century were still remote. The success of the moment was due to Knox, above all men. At Perth, at St Andrews, at Stirling, he had raised the temper of his followers almost to his own level. He screwed their courage to the sticking-point; he insisted on extreme measures; and he only failed when he tried to carry out his social reforms, to persecute Catholics to the death, and to save the wealth of the Church for the poor, for the new clergy, and the cause of education. To Knox's efforts in these directions we return later.

Meanwhile politics and diplomacy resumed their reign. The Estates had two things to do: first, to secure Elizabeth's consent to a marriage with Arran. They had confirmed the treaty of Berwick, but they would feel more certain of the English alliance when a descendant of Bruce shared the throne of the Plantagenets. Secondly, they had to legalise their proceedings by sending "persons of quality" to visit France, and secure the approval of Francis and Mary, and the ratification of the treaty. As to the second point they cared very little. Lethington declined to visit France, and, against his desire (for he had tact and sense), accompanied the envoys with the proposal of Arran's hand to Elizabeth. Having resided much in England, Lethington knew the open scandals of the Court, and the flagrant conduct of Elizabeth while the Scots were claiming her as the bride of the heir-presumptive to their crown. Elizabeth's favourite, Dudley, was involved, and was involving his mistress, in the disgrace of his wife's murder. Elizabeth's flirtation with Dudley had long been a cause of anxiety. On September 3 (or August 3, according as we follow the interpretation of Mr Froude or of Mr Gairdner) Elizabeth told de Quadra, the Spanish Ambassador, that she would marry the Archduke. On or about September 7, 8 (the dates are matter of dispute), Cecil told de Quadra that there was a conspiracy to kill Dudley's wife, Amy Robsart, who seemed to stand between her husband and Elizabeth. "On the day following this conversation" Elizabeth told de Quadra "that Lord Robert's wife was dead, or nearly so," and, in fact, Amy Robsart was found dead, at the foot of a staircase in Cumnor Hall, on the night of September 8.

Much has been written on this affair, and on the question as to whether Elizabeth had any guilty foreknowledge of Amy's death. Mr Froude says, "That there should be an universal impression that a particular person was to be done away with, that this person should die in a mysterious violent manner, and yet that there should have been no foul play after all, would have been a combination of coincidences which would not easily find credence in a well-constituted court of justice."[51] Whatever the actual truth,[52] these events occurred while the Scottish ambassadors were on their way to ask for Elizabeth's hand. Arran, despite his defects, was a very brave man. Knox was his most intimate adviser on his love-affairs. Neither seems to have blenched at the idea of wedding a lady whose favourite had just

lost his wife in the most suspicious circumstances. Not even Elizabeth's "idolatry" stood in the way. But Lethington did not like the embassy. Morton and Glencairn were his companions. To France only the second son of Sandilands of Calder was sent, a married man, yet Prior or Preceptor of the celibate order of Knights of St John. This messenger was not "persons of sufficient quality" (as stipulated in the compact of July 6), and his mission was a failure. Neither to Sandilands, for Scotland, would Francis ratify the Edinburgh compact; nor to Throckmorton, for England, the treaty of July 6. The reasons for refusal have been indicated already.[53] The manner even of the Scottish ratification was also informal and not duly attested. The bishops were "dispossessed or fugitive." The Scottish embassy to Elizabeth was unauthorised and illegal. Again, the promises of Francis to Elizabeth, in the English treaty, were taken to be dependent on the performance of the stipulated conditions by the Scots. The conditions had been broken. Francis could not, then, at present ratify the English treaty.[54] Elizabeth was very angry, but consented to await the results of the mission of Sandilands (September 24).[55] Throckmorton flatly denied Elizabeth's part in the conspiracy of Amboise, yet "Throckmorton had been the very focus of the plot."[56] Mary received Throckmorton seated, and gave him a low stool. She said that she could as ill bear injury as her cousin Elizabeth, "and therefore I pray her to judge me by herself, for I am sure she could ill bear the usage and disobedience of her subjects which she knows mine have showed unto me." Then she made friendly protestations, promised her portrait, and asked for that of a lady so fair as Elizabeth. At the age of eighteen Mary was already obliged to dissemble; for, of course, Elizabeth had given her cause of deadly feud, and Throckmorton and Elizabeth knew it well. Sandilands sped no better than Throckmorton. He was told (November 14) that the Scots were setting up a republic; and that to send *him*, "by post," to his queen, and a great embassy with seventy horses to Elizabeth, was discourteous. By November 16, Francis, at Orleans, declared his displeasure with the Scots, but promised forgiveness on better behaviour. He would send commissioners to open Parliament legally.[57] Throckmorton now marked French preparations for war, and was told that Francis would quarter the arms of England (as Elizabeth quartered those of France) till the treaty was ratified. To Throckmorton Mary denounced with passion the

behaviour of her subjects. He warned Cecil (November 17) that France would take advantage of English weakness and of the discontents about Dudley. Condé was in prison as a Huguenot conspirator; the King of Navarre was held *tanquam captivus;* the stormy petrel, Bothwell, was off to Scotland, boasting he would live there in spite of all men. "He is a glorious, rash, and hazardous young man," said Throckmorton, and needs watching.

To secure Scotland, in case of a French war backed by the Pope, it seemed that Elizabeth must marry Arran. In Scotland were many dangerous neutrals: Huntly was upholding the mass in the North; Bothwell might trouble the Border. France was destroying her Protestants, and would be unhampered. But on November 28 Throckmorton reported the illness of Francis.[58] Already men spoke of a new marriage for Mary! Francis died at Orleans on December 5, "leaving as heavy and dolorous a wife, as of right she had good cause to be," for Mary had watched by his bed to the danger of her health. Thus "the potent hand of God from above sent unto us a wonderful and most joyful deliverance; for unhappy Francis, husband to our Sovereign, suddenly perisheth of a rotten ear, . . . that deaf ear that never would hear the truth of God." So writes Knox.[59] The dread of the Guises was thus appeased; but Elizabeth now, out of fear, declined to marry Arran (December 8). "What motive she had in this refusal we omit," says Knox, probably with Dudley in his mind. The Scots were ill content, and Parliament was summoned for January 15, 1561. Meanwhile "divers conceits have troubled Arran's mind," writes Randolph. In earlier despatches and letters are hints of Arran's ill-health, probably cerebral. People spoke to him of a marriage with Mary Stuart. "Of all these matters there is no man privy except Knox, and he whom he trusteth with the whole" (January 3, 1561).[60] Arran, says Knox, "was not altogether without hope that the Queen of Scotland bore unto him some favour." This was fatuous. Mary deemed him "an arrant traitor." However, he sent the new-made widow a letter and a ring. The reply "he bare heavily in his heart, and more heavily than many would have wotted." Knox as the recipient of love-lorn confidences appears in a new attitude.[61]

The Parliament of January 1561 did very little. The Lord James was appointed to go to France and see Mary, but he did

not leave Edinburgh till the middle of March. He was "forewarned of the Queen's craft," says Knox, "not that we then suspected her nature, but that we understood the malice of her friends"—that is, kindred—"the Guises." Lord James "was plainly premonished that if ever he condescended that she should have the mass privately or publicly within the realm of Scotland, that then betrayed he the cause of God." He said that he saw not who could stop her, if she had the mass "secretly in her chamber." Knox and the Kirk could have stopped her in due course of law, first by confiscation and corporal punishment, next by exile, lastly by death; or an opportune Jehu might have been raised up. These were not Lord James's ideas. From Edinburgh Lethington, returned from the futile embassy to Elizabeth, kept Cecil well informed. The Estates on February 6 had been sitting for a fortnight. The "Polecie of the Kirk," the Book of Discipline, was being passed, a policy "something more vehement than at another time he would have allowed." Lord James's embassy to Mary was tentative: the Scots did not wish her to return escorted by a French force. Lord James would tell Elizabeth "what he minds to do." Nothing will be settled by Scotland, as regards Mary, till Lord James "has fully groped her mind." There was talk of renewing the French league, but Maitland had staved off the question. Mary's name and cause are beginning to awake devotion in her subjects. On February 6 Maitland announced the arrival from France of commissioners from Mary to assemble the Estates, and induce them to send some peers to advise Mary "anent her home-coming" and the renewal of the French league. Maitland himself was in danger on account of his "familiarity with England."[62] On February 16 Mary, at Fontainebleau, received Elizabeth's envoys, Bedford and Throckmorton. As to the treaty of Edinburgh, Mary said that she might answer, after seeing envoys from Scotland, Lord James and others. She spoke amiably of Elizabeth, and desired to see her. In fact she was minded to send over De Noailles for the renewal of the old league with France: this was attempted later, but failed.

Mary, her mourning relaxed, soon began to move about the country, to Paris, Rheims, and Nancy. While she was in Lorraine her hand was being sought by as many princes as ever wooed a princess in a fairy tale. By the treaty of Haddington, made before she left France as a child, Mary could only marry, if Francis died,

by the advice of the Estates. The King of Denmark, the King of Sweden (who later, like Arran, went mad), a son of the Emperor, and Don Carlos, who also, by a strange coincidence, followed the way of Arran and the Swedish king, were all suitors, or spoken of as suitors. Fate brooded blackly over every pretender to the fairest of queens. The Guises preferred, Elizabeth of course opposed, the Spanish marriage. Already Lennox, who had a son, Darnley, worth entering for the prize of Mary's hand, had been begging leave to visit Scotland, and to sue Mary for restoration of his lands, forfeited for treachery long ago. Elizabeth tartly answered that this was "colour for a higher feather," and that Lennox and his wife were practising as her enemies.[63] Lennox had been arguing that Châtelherault was illegitimate; whence it followed that he himself was next heir to the Scottish throne. His wife, again, was a niece of Henry VIII. Their young son, Darnley, was thus near to both thrones, and "the higher feather" was the desire to marry Darnley to Mary. As in the fairy tales, the humblest wooer was to win, with worse results than if any of the princes damaged in their wits had succeeded. Catherine de' Medici opposed the cause of Don Carlos: Elizabeth opposed any foreign marriage.

Any Scottish marriage would have seen the bridegroom a corpse in a few weeks, such was the jealousy of the nobles. Mary was a doomed woman. While she was near Nancy, envoys from the two Scottish parties met her. Huntly, Atholl, Crawford, the Bishops of Murray and Ross, and others had sent John Lesley, the historian, to warn Mary against her brother. Lord James, they said, only wanted the Crown. He ought to be detained in France, or Mary ought to land at Aberdeen, and move south with the loyal and Catholic levies of the North, under the banner of the shifting and faithless Huntly. This policy might have been better than trusting the Protestants, and appearing as a queen among men who daily insulted and persecuted her faith. But Mary doubtless knew that no man could rely on Huntly.[64] She therefore leaned to Lord James, coming, as he did, straight from interviews with Cecil and Elizabeth. Unhappy queen: betwixt the faithless friends of her own creed and the allies of her natural enemy and cousin! Mr Tytler explains that Lord James met Throckmorton secretly in Paris, and "betrayed to him everything that had passed between his sister and himself."[65] On this crucial point, Was Mary's brother a deliberate traitor to Mary? there is a dispute among

the learned, which may be discussed in a note.* In any case, Throckmorton keeps insisting that Lord James should be well "entertained" and "contented." He thought that £20,000 would not be too much to spend on buying the Scots.[66] On May 4 Lord James set out for London, whither Mary had tried to persuade him not to go.[67] In England (if we may believe Camden, who is not the best of authorities), Lord James tried to induce Elizabeth to capture Mary on her way to Scotland. On May 29 he was again in his native land. On June 26 Throckmorton congratulated him on having "stayed many things that might have been to the unquiet of the country."[68] Parliament was meeting, and the Catholics appeared in some force. The Brethren presented a petition to the Council, urging more destruction of "idols" and the enforcement of the persecuting laws. By the "Brethren" are meant the General Assembly.[69] The Lords dismissed Noailles without renewing the old league with France, and he left Edinburgh (June 7). The Brethren next ravaged a number of monasteries in the west and north; at Paisley the Archbishop of St Andrews "narrowly escaped," says Knox. They meant to kill or capture him, it appears.[70]

Meanwhile Mary, in France, had been in bad health, and had been evading Throckmorton's demands for the ratification of the treaty of Edinburgh. He reasoned with her at Paris, about June 23, to no avail. She was sending d'Oysel to ask Elizabeth for her safe-conduct. Elizabeth, in public, and in passionate terms, refused, and (July 1) wrote to the Estates insisting on the ratification. Later, she spoke more placidly: if Mary would ratify, she would be ready to meet her in a friendly way.[71] Mary threw away this admirable chance of settling the feud. Many a time, later, was she to pray for a meeting that was never granted. Elizabeth was now clearly in the right. If the obstacle to the ratification was the conduct of the Scots, that had been practically condoned. Mary could not fairly expect to be allowed to travel through England, rousing Catholic hopes, while she did not formally recognise Elizabeth as England's rightful queen. At this moment (July 14) a compromise was invented. Cecil tells Throckmorton that there is "a matter secretly thought of." Mary might acknowledge Elizabeth as Queen of England, might recognise the right of Elizabeth's issue, if she had any, and might herself be recognised

* See "The Lord James," at end of chapter, p. 102.

as heir, failing her own issue, by Elizabeth. "The queen knoweth of it." But Elizabeth declined this arrangement, urged on August 6 by Lord James. The day she acknowledged Mary as heir might be a day near her own death by assassination.[72] Elizabeth may have calculated rightly. She would not make her own recognition as Queen of England a matter of bargain. Perhaps she dared not recognise Mary as her successor for fear of being murdered. Hence arose the endless feud of the two queens.

Throckmorton (July 26) wrote a long account of his interview with Mary, after she heard of Elizabeth's refusal.[73] The diplomatist was married, and was a hardened example of "an honest man sent to lie abroad for the good of his country," to use Sir Henry Wotton's definition of an ambassador. But it is clear that the girlish and queenly charm and courage of Mary, so young, so fair, so well acquainted with sorrow, standing in the perilous path, and in the clash of contending forces, moved his admiration. She dismissed the courtiers: "she liked not to have so many witnesses of her passion, as his mistress had when she talked with Monsieur d'Oysel." She was sorry that she had asked Elizabeth for a favour, passage to Scotland, that she needed not to beg. "The late king 'your master' had vainly tried to stop her on her way to France."[74] She declined to be brow-beaten, as if she were too young for affairs. In the past she had acted as her husband desired (of course it must have been herself who swayed the boy-king); now she had no French counsel, and must consult her lords at home. In brief, with feminine ingenuity, Mary threw the blame on Elizabeth. Mary knew very well that the Estates approved of the ratification of the Edinburgh treaty; there was no need to consult them, but, once among them, she might make them change their minds. She insisted that, since her husband's death, she had disused the English arms. Throckmorton laid the strength of his case before Catherine de Medicis, who approved of Mary's reply. Later, Mary told Throckmorton that, her preparations being advanced, she meant to sail; had she not been in readiness, Elizabeth's unkindness might have delayed her voyage. If Elizabeth captured her and made sacrifice of her, so be it. "Peradventure that casualty might be better for her than to live." Better, indeed, it would have been.

Elizabeth and Cecil knew Mary's purposes. On June 29 she had written to Lethington, who was trying to make himself secure with her. She said that it would be better for him to drop his

correspondence with England, and bade him try to have the Scots hostages for the treaty of Berwick withdrawn. "Busy yourself in undoing what you have brought about"—that is, the league between England and the Congregation.[75] Lethington predicted "strange tragedies" if Mary returned to Scotland (August 10).[76] Perhaps he wished to insinuate that Mary should be trapped at sea, like James I. On July 25 she left St Germain, later to be the unhappy palace of her exiled race. The port from which she should sail was kept secret. On August 11 Throckmorton wrote to Cecil and to Elizabeth. Mary had wished to see him again, and he had presented himself before her at Abbeville (August 7 and 8). She was sending the lay Prior of St Colm (Stewart of Doune) and her loyal friend Arthur Erskine to Elizabeth with a friendly letter. Elizabeth (August 16) replied. She accepts Mary's assurances that on her arrival in Scotland she means to be guided by her Council. She "suspends her conceit of all unkindness." It is untrue that her fleet is at sea to intercept Mary; she has only two or three barques out to watch Scottish pirates.[77] As late as August 12, Cecil had written that these barques "will be sorry to see Mary pass."[78] If Mary had succeeded in disarming Elizabeth's anger, she did not know it; she had sailed before Elizabeth's answer was received. Mary had sent a message to Scotland, averring that she would start later than she really meant to do. This news would reach England, and throw dust in English eyes. From a letter of Lethington to Cecil, of August 15, it is plain that the wily secretary was at once perplexed and irritated by Mary's manœuvres, and by the English negligence in not kidnapping his sovereign. "Why declare yourself enemies to those you cannot offend?"[79]

On August 14 Mary said an eternal farewell to the Cardinal and the Duc de Guise. She set sail with her four Maries (Mary Seton, Mary Beaton, Mary Livingstone, and Mary Fleming—there was no Mary Hamilton), and an escort of French and Scottish gentlemen. For long she had been "weeping, night and day."[80] Never had woman better cause to weep than Mary Stuart as she set forth on that path where her sorrows were to be. A girl of nineteen, she left the fair land of France, her kindly nurse, and the gentlemen of her blood who had loved and cherished her youth. She passed to a bleak shore where scarce three men were to be true to her; where her faith was daily and brutally insulted; where her advisers were the hirelings of her rival; where her every step would be commented on by the eloquent and charitable Knox. Over her devoted head

were to break the thunders of a ruining world; her weapons were but a fair face, and a subtle tongue, and an indomitable courage. No conduct could have saved Mary from some "strange tragedy," but the passions that slept within her were to add dishonour to her predestined fall. The details of the voyage are dim as the sea-mist which, earlier or later, fell on Mary's galleons,—the protection of heaven, said her friends; the warning of an angry God, said Knox. On August 19 she arrived at Leith, accompanied by Brantôme, d'Elbœuf, d'Aumale, and the Grand Prior: Mr Froude adds, "a passionate Châtelar sighing at her feet." He says that the English fleet was on her track, and "if the admiral" (what admiral?) had sunk her ship, Elizabeth "would have found it afterwards well done."[81] M. Philippson makes it clear that, by Cecil's orders of August 5 and 8, Mary was to be detained if she touched at an English port.[82] But, on the whole, and though a vessel of the *cortége* was detained, it seems that no effort was made to stop the queen. That she did not write the pretty lines, "Adieu, plaisant pays de France," but that they were the mystification of a journalist, Meusnier de Querlon, 1765, is averred by that destroyer of tradition, M. Edouard Fournier.[83]

NOTES TO CHAPTER IV.

[1] Hill Burton, iii. 377; Fœdera, vol. xv., May 12, 1560. M. Philippson, in his 'Marie Stuart,' equally condemns the refusal of Mary to acknowledge Elizabeth.
[2] Keith, i. 294. [3] Philippson, i. 190.
[4] Hume Brown, Knox, ii. 87, note; Teulet, i. 606, 607.
[5] Tytler, vi. 195; vi. 227 (1837). [6] Keith, i. 306.
[7] Keith, i. 303. [8] Keith, i. 317. [9] Act. Parl., ii. 15.
[10] Hume Brown, Knox, ii. 86; Calendar, i. 455, 456; Tytler, vi. 176; vi. 206 (1837).
[11] Calendar, i. 458. [12] Keith, i. 300. [13] Calendar, i. 456.
[14] Hume Brown, Knox, ii. 87. [15] Act. Parl., ii. 525, 526.
[16] For. Cal. Eliz., iii. 152 note. [17] Knox, ii. 89-92.
[18] Randolph, August 10. Calendar, i. 458.
[19] September 7. Calendar, i. 477, 478. [20] Knox, ii. 118, 119.
[21] Knox, ii. 128. Spottiswoode, Willock, Douglas, and Row were the other authors.
[22] Mitchell, The Scottish Reformation, 100-102.
[23] Maitland to Cecil, August 18. Calendar, i. 465.
[24] Act. Parl., ii. 534, 535. [25] Lesley, p. 537.
[26] For. Cal. Eliz., iv. 387. [27] Keith, i. 323-325.
[28] Keith, iii. 4-7, and iii. 128, note.

[29] Keith, iii. 4-12. Maitland to Cecil, September 6, For. Cal. Eliz., iii. 278.
[30] For. Cal. Eliz., iii. 259. This is how I understand Randolph.
[31] Knox, vi. 13. [32] Mitchell, The Scottish Reformation, p. 127 and note
[33] Knox, iv. 179, 182. [34] Large Declaration, p. 16 (1639).
[35] Narratives of Scottish Catholics, pp. 73, 75. [36] Knox, ii. 202.
[37] Mitchell, p. 155. [38] Latimer's Sermon of the Plough, Froude, iv. 355.
[39] Knox, ii. 128. [40] Knox, ii. 130. [41] Knox, ii. 233.
[42] Hume Brown, Knox, ii. 115.
[43] Hume Brown, Life of Knox, ii. 116, 117.
[44] Hume Brown, Life of Knox, ii. 121, note.
[45] Privy Council Register, i. 246, 247.
[46] Forbes Keith, Narratives of Scottish Catholics, 63-79.
[47] Keith, iii. 424, 425. [48] Leslie, pp. 538-540.
[49] Laing's Knox, vi. 153. Winzet's works are most easily accessible in the Appendix to Keith, vol. iii.: they also exist in the Maitland Club book of 1835, and in an edition by the Scottish Text Society.
[50] Life of Knox, ii. 178, note 2. [51] On the affair, see Froude, vi. 414-433.
[52] See Mr Gairdner, Historical Review, i. 235 *et seq.*
[53] Teulet, i. 623-629. [54] September 18, 1560.
[55] Teulet, i. 635; Throckmorton's account of the negotiations, For. Cal. Eliz., iii. 246.
[56] Froude, vi. 336. [57] Teulet, i. 638, 639.
[58] For. Cal. Eliz., iii. 410. [59] ii. 134.
[60] For. Cal. Eliz., iii. 486. [61] Knox, ii. 137.
[62] For. Cal. Eliz., iii. 531-534; Teulet, ii. 160. January 23—De l'Isle's Instructions. See Mary's Lettres Patentes of January. She especially wanted advice as to finance and the appointment of a treasurer. Her envoys were "small barons."—Preston of Craigmillar, Ogilvy of Findlater, Lumsden of Blanern, and Lesley of Auchtermuchty. Labanoff, i. 80-88.
[63] For. Cal. Eliz., iii. 415, 416. [64] Lesley, p. 532.
[65] Tytler, vi. 221; vi. 257 (1837). Philippson, Marie Stuart, i. 297-299.
[66] For. Cal. Eliz., iv. 87. [67] For. Cal. Eliz., iv. 76.
[68] For. Cal. Eliz., iv. 158. [69] Knox, ii. 161-163, note 2.
[70] Knox. ii. 167. [71] For. Cal. Eliz., iv. 187.
[72] For. Cal. Eliz., iv. 187, note. [73] For. Cal. Eliz., iv. 199.
[74] "King Henry" is an error of the summary of Throckmorton's letter in the Calendar. See Hay Fleming, p. 246.
[75] Calendar, i. 536. [76] Calendar, i. 543; Philippson, i. 318.
[77] For. Cal. Eliz., iv. 250. [78] Tytler, vi. 230, note 2; vi. 269 (1837).
[79] Tytler, vi. 400, 401.
[80] Languet, July 13, 1561. Schiern's Bothwell, p. 24, note.
[81] Froude, vi. 511.
[82] Hist. MSS. Commission, xii.; Appendix iv., i. 73. Philippson, i. 337.
[83] L'Esprit dans l'Histoire, pp. 181-187; Schiern, Bothwell, p. 411; Hay Fleming, pp. 250-252.

The Lord James.

Tytler accuses Lord James of having "betrayed" to Throckmorton, in Paris, what was said by Mary to himself. Dr Hay Fleming ('Mary, Queen of Scots,' p. 235) combats this view, which is also that of M. Philippson. Lord James, though he went "secretly" to Throckmorton, told Mary that he had paid the

visit (Philippson, iii. 438). But did he tell Mary what passed between him and Throckmorton? Throckmorton's letter is of April 29 ('For. Cal. Eliz.,' iv. 84). Whatever Lord James did or did not say to Throckmorton, according to M. Philippson, he lied. Lord James said that Mary "would not suffer him to accompany her to Nancy, in Lorraine, whereby he gathers that there is something there in hand that she would be loath he should be privy to." But Keith (iii. 210) prints, in English and French, a letter of Mary's to Throckmorton of April 22, 1562, which she dates from Nancy, where she says that Lord James is "with her," *il y est venue*. Why did Mary say he was with her, if he was not? Why, if he was with her at Nancy, did Lord James deny the fact to Throckmorton, and throw suspicion on his sister? It is on questions like this that we expect light from the minute researches of Dr Hay Fleming. "To make Tytler's charges good," he says (he does not mention Philippson's charges), "one of two things must be established — either that Mary had revealed her secret intentions to her brother, or that he believed she had. Tytler and Hosack prove neither." What do facts prove, as far as facts can be obtained from what Throckmorton said that Lord James said? He "declared *all* that passed" between himself and Mary. What passed?

1. Mary would not let him go to Nancy with her. Mary tells Throckmorton that he did go to her to Nancy, and was with her as she was writing.
2. That she would not ratify the treaty of July 6 till she was in Scotland, and had the advice of her Estates.

So Mary herself later told Elizabeth.

3. That she desired to dissolve the league between England and the Scots.

Can any one deny that this *was* her "secret intention," and public intention, for that matter?

4. Lord James gave the gossip of Guise's Master of the Horse, to the effect that Mary had said that she would never marry Arran.

A brother reports, to an English ambassador, a "horse-master's" talk about his own sister!

5. That she will try to get the consent of the Estates to her marriage with a foreign prince.

Either Mary said so, truly or falsely, or Lord James, falsely or truly, said that she did.

6. She cares as little for the friendship of France as of England, and has ordered that the Estates shall not meet, or any matter of importance be settled, till her return.

This contradicts Buchanan's tale, that Lord James brought a commission for the sitting of Parliament. As to the friendship of France, the question is not, Did Mary express her "secret intentions"? but, Did Lord James tell Throckmorton all that he could gather from her about them? He could do no more, and he did *that*, or he fabled.

7. That she meant to return by sea.

Nobody can be sure what she then intended; but that was what she did.

8. That she pays little attention to the suit of the King of Denmark.
9. Murray revealed the talk of Mary and Cardinal Guise about Elizabeth's own religion, crucifix, and candles.

Enfin, Lord James either told all that he could tell about Mary's intentions, or he concealed or falsified them. If Lord James did not believe that what he revealed were Mary's "secret intentions" he ought to have warned Throckmorton to that effect. Did he?

CHAPTER V.

MARY IN SCOTLAND.

1561–1563.

THE history of Scotland after Mary's landing is so rich in political events, and in social and personal interest, that a concise treatment must leave much untouched. Before leaving France, Mary had defined her attitude towards theology. "For my part," she had told Throckmorton, "you may perceive that I am none of these that will change my religion every year; and . . . I mean to constrain none of my subjects, but would wish that they were all as I am, and I trust they should have no support to constrain me."[1] In this provisional attitude she remained. Her desire, doubtless, was to make Scotland a stepping-stone to higher things. She might marry Don Carlos, she might make good her claim to the English throne, she might recover both countries for the Church. Meanwhile if she could secure freedom of conscience for herself, and attend her mass in private, that was the minimum to which she had a human right, and that was the fine edge of the wedge. She might, and she did, win her lords to insist on her recognition as heiress of the English crown, failing Elizabeth and her issue. Her lords were thus no longer mere adherents of Elizabeth. For a beginning this was enough.

Mary's arrival was darkened by the morose climate, and by preparations incomplete, because she was unexpected. "Was never seen a more dolorous face of the heaven. . . . That forewarning God gave unto us," says Knox. The queen remained in Leith till some rooms were made ready in Holyrood. On her way thither the artisans met her. They were under a cloud for a May-day riot and celebration of Robin Hood. "Because she was sufficiently instructed that all they did was done in despite

of religion, they were easily pardoned."[2] Religion had little to do with Robin Hood. He and his merry men, and May revels, had been put down before the Reformation, probably because it was usual to ask for money, perhaps with violence. If the craftsmen deliberately acted "in despite of religion," the new creed had not sunk very deep, and we see many symptoms that the Edinburgh populace was not steadily Protestant.

All night bonfires blazed, and there was music, probably both sacred and secular. All went well, the lords flocking to salute the queen, till Sunday (Knox is too consistent to say "Sabbath"), August 24. Preparations were made for the mass in the chapel royal attached to the palace, not in the Abbey Church, now a picturesque and dreary ruin.[3] For this private mass Lord James had stipulated. The Master of Lindsay, with the fanatics of Fife, bawled against the "idol," crying "the idolatrous priest should die the death," contrary even to the penal statutes. Lord James, who never lacked courage, held the chapel door, and, after service, his brothers, Robert and John, conveyed the priest to his chambers, "and so the godly departed with great grief of heart," thirsting for clerical blood. On the following day the Privy Council decreed that none should molest her servants or French companions. Mary announced her hope to "take a final order," as to religion, by advice of the Estates. Arran publicly protested that idolaters must be put to death, and he retired from Court, but the other lords fell under "some enchantment whereby men are bewitched."[4] Next Sunday Knox, of course, denounced the mass from the pulpit. One mass was more terrible to him than an invading army of 10,000 men. Mary sent for Knox, probably expecting her enchantments to act.

But, though fond of a pretty young face, Knox was of adamant now. Mr Carlyle says "he is never in the least ill-tempered with her Majesty," but Mr Carlyle's ideas of temper were peculiar. Knox reports his own remarks in several hundred lines; Mary's part in the drama has but thirty lines. Mary objected that Knox raised rebellion against her mother. She alluded to his tract, 'The Monstrous Regiment of Women.' She said that he had caused slaughter in England, and was reported to be a necromancer. Mary appears, from a later charge against Ruthven, to have been a believer in black magic. She asked if he admitted her "just authority." He then lectured on the Republic of Plato, and said that, if the country found no harm in feminine

rule, he could be as content under it "as Paul was to live under Nero." The logic was curious: Nero was not a woman, and the fault of Mary was that her sex was *not* that of the Roman despot. As to causing trouble in England, he disproved that, and he could prove that he actually preached against magic and magicians. This is interesting, as before the Reformation we have found so very little about witch-burnings. They soon became common, as they had long been in Catholic Europe. Mary then put it to Knox that he taught subjects to receive a religion not permitted by their princes. Now God commands subjects to obey their princes. Knox replied that if the Israelites had been of the Pharaohs' faith, where would religion be? The apostles and Daniel did not worship with Nero and Nebuchadnezzar—nay, Daniel refused to do so. "But none of them," said Mary, "raised the sword against their princes."

"God, madam, had not given them the power and the means."

God had, in fact, given Peter the means, but his conduct with his sword did not secure the approval of his Master. Knox then likened the position of subjects with a Catholic prince to that of children whose father is suffering from homicidal mania. This was a commonplace of the opponents of Government: it constantly occurs in their arguments. Mary was silent for more than fifteen minutes. Lord James asked what ailed her.

"I perceive," she said to Knox, "that my subjects shall obey you and not me."

Knox said that both should be subjects "to God and his troubled Church."

"Yea, but you are not the Kirk that I will nourish. I will defend the Kirk of Rome, for I think it is the true Kirk of God."

"Your will, madam, is no reason," said Knox, adding that her Kirk was a harlot: a good-tempered observation.

Mary did not reply that *his* Kirk was a harridan, but said, "My conscience is not so."

Knox remarked that conscience requires knowledge, and he feared that right knowledge she had none.

So the discussion went on, Mary observing that Scripture was variously interpreted. Knox then adopted the logic of the Confession of Faith, chapter xviii., which is reasoning in a vicious circle.

"You are too hard for me," said the fair theologian of eighteen; "but if they were here that I have heard, they would answer you."

But Ninian Winzet was not there. Knox said that Papists could only answer by fire and sword. That was not the way of the unanswered Winzet. Mary was now called to dinner, and Knox said farewell with courtesy.

"I pray God, madam, that you may be as blessed within the commonwealth of Scotland, if it be the pleasure of God, as ever Deborah was in the commonwealth of Israel."[5]

He, unlike some of the godly, as he tells us, was without hope of Mary's conversion. "She is patient to hear, and bears much," wrote Randolph to Cecil. Lethington "wishes Mr Knox would deal more gently with her, being a young princess unpersuaded."[6] "In her comporting with him, she doth declare a wisdom far exceeding her age." On the other hand, "Mr Knox's prayer is, that God will turn her heart, obstinate against God and His truth, or, if the Holy Will be otherwise, to strengthen the hands of His holy and elect stoutly to withstand the rage of all tyrants." Mary had neither tyrannised nor raged; it was Knox who called her Church a harlot. It is usual to defend Knox's conduct towards his young queen. Randolph and Lethington did not approve of it: it was calculated to exasperate the humblest spirit, and Mary's spirit was high.

On Tuesday, September 2, she entered Edinburgh in state and among pageants. The town made her a present of a very heavy Bible, and of a beautiful piece of plate. The children in the cart "made some speech concerning the putting away of the mass."[7] Even the children must lecture the queen! Some say that a priest in effigy was burned, others that Korah, Dathan, and Abiram were burned, as a protest against idolatry.[8] Other insults were heaped on the queen's religion. She went to Perth, St Andrews, and Dundee; riots and insults were mingled with pageants and presents.[9] Meanwhile Lethington had been at the Court of Elizabeth. He was instructed to say that any discourtesy of Elizabeth's to Mary would be resented by Mary's subjects.[10] It is also plain that Lethington was to propose that Elizabeth should recognise Mary as her heir, failing herself and her issue.[11] Elizabeth did not consent, but she found that Mary had put a new spirit into the Scots. She sent Sir Peter Mewtas as an ambassador, and Mary and she made friendly professions.

In Edinburgh was trouble. The newly elected magistrates reissued an insulting proclamation, expelling "monks, friars, priests,

nuns, adulterers, and all sic filthy persons." The queen imprisoned the provost and bailies, and ordered a new election. In this municipal *coup d'état* Knox says that she was backed by Lethington and Lord James.[12] The autumn and winter after Mary's return from her progress were spent in the weaving of diplomatic cobwebs, and in the pleasures of a young and lively Court. "In farces, in masking, and other prodigalities, fain would fools have counterfeited France." D'Elbœuf had not yet returned home, and he was a wanton reveller, not ill-mated with Bothwell. The Court was much subject to the passion of love. Lord James had practised a "lang courting," as the Scots say, of the Earl Marischal's daughter. A previous adventure of his displeased the ungodly; he had jilted a lady, but retained her lands. His brother, Lord John, lay prior of Coldingham, "is like to marry Lord Bothwell's sister." Unlike Hippocleides in Herodotus, Lord John was dancing himself into, not "out of, a marriage." He "has not least favour with his leaping and dancing." "Lord Robert," of Holyrood, another brother, "consumes with love of the Earl of Cassilis's sister." Arran held aloof, first as a stern Protestant; next, because Bothwell, who had vainly challenged him during the Regency, was likely to renew the quarrel,[13] which arose out of Bothwell's stopping Ormistoun with English gold for the rebels against Mary of Guise.

Pastimes were boldly pursued on Sundays, indeed on a Sunday the town of Edinburgh feasted the queen. It appears that the primitive Reformers of the first generation had no idea of making Sunday a day of penitential gloom. Knox did not even, like his descendants, call Sunday "Sabbath," as we have already noted. Still, they could not approve of a Sunday "running at the rings," with six competitors disguised as women; six "in strange masking garments."[14] Such were Court pleasures: perhaps the eyes of Mary Fleming were already softening the heart of Lethington. Certainly he and Lord James took the queen's part as far as they dared. Mary held the usual services of her Church on Hallowmas or All Saints' Day. The Reformation never succeeded in obliterating Hallowe'en and its rustic survivals, but the celebration of All Saints was bitterly resented. The ministers beat the pulpit cushions in denunciation. The nobles were induced to meet, but "affection" caused some to doubt "whether subjects might put out their hand to suppress the idolatry of their prince." Lord James, Lethington,

Morton, and the Earl Marischal were of a Turkish tolerance, the principal preachers were on the other side. It was decided to consult Calvin, that oracle. Knox offered to write, but Lethington observed that "there stood much in the information"—that is, in the way of stating the case. Thus Lethington put the question by, but Knox, "though he does not say so in his History," remarks Dr Hay Fleming, "did write to Calvin on this very point," and he had written a week at least before the meeting (October 24). He informed Calvin that at Court Lord James alone opposed "impiety," but, like the rest, "is afraid to overthrow that idol by violence." It is not easy to see why Knox offered to write, when he had written already.[15]

Meanwhile diplomatists, studying for peace with England, dwelt on a hope that Elizabeth would meet Mary, and, as Knox might have said, would convert her from the errors of the Church of Rome to those of the Church of England. Elizabeth had declared herself a Catholic to de Quadra, the Spanish Ambassador: Knox said that she was neither Protestant nor Papist. Her creed was negative: she was an anti-Puritan. But Lethington thought that Elizabeth "would be able to do much with Mary in religion," if they met in a friendly way.[16] Their theological dialogue would have been curious to hear. In Paris, Throckmorton thought that, if the French could not detach Mary from Elizabeth, they would purchase Arran and Châtelherault, working on their claim to the throne, with such Catholics as Huntly and Home.[17] A nocturnal panic at Court may have been caused by suspicion of Arran. Lord James had gone to the Border, to hang some score of Teviotdale reivers. Simultaneously the Archbishop of St Andrews, with other prelates and Catholics, entered Edinburgh. On a Sunday night in November a terror fell among the courtiers. Next day Arran was said to have arrived with a force, to carry off the queen. The report is said by Randolph to have been untrue, but it led to the formation of a kind of amateur bodyguard for Mary. Never did woman need protection more than she. The Catholics themselves were greatly dissatisfied: the prelates were trying to be assured in their estates.[18]

Another brawl was caused by an insulting visit of d'Elbœuf and Bothwell to a pretty girl who was thought to be Arran's mistress. Slogans rose and swords clashed in street and wynd, and Mary, reading, or at needlework, or talking with her ladies, heard danger

in every echoing sound of horses' hoofs. A General Assembly was held in December, but the rift between the lords and the preachers was widening. Lord James and Lethington led *les politiques*, as against the severe sectaries, the bitterly godly. "Some began to deny that they even knew such a thing as the Book of Discipline," and even disparaged General Assemblies. Mr John Wood, later to be notable among Mary's enemies, deserted the cause. Lethington raised the question, afterwards so formidable, of the lawfulness of conventions of the Kirk. The godly asked for the ratification of the Book of Discipline. Lethington successfully opposed it: meanwhile there was no provision for the preachers. Finally the bishops and others were allowed to keep two-thirds of their benefices; the other third was divided between the queen and the ministers. The properties were assessed and valued; Knox leaves a blank for the amount.[19] In a sermon he declared, "I see two parts freely given to the devil, and the third part must be divided betwixt God and the devil." God was the preachers, the devil was the queen! Lethington remarked that, "the ministers being sustained, the queen will not get, at the year's end, enough to buy her a pair of new shoes." The ministers in general received only 100 marks annually. On the other hand, by this procedure Mary recognised the right of the preachers to endowment. Lord James was now made Earl of Mar, and could afford to marry his true love, a very careful lady.

While Mar wedded, and Bothwell brawled, and the ministers starved, and Knox likened the queen to the devil, the shuttle of diplomacy flew backwards and forwards. The object was to establish friendly relations between Mary and Elizabeth, and to secure Mary's recognition as Elizabeth's successor. The patriotism in Lethington always worked for this end—the union of the Crowns. Elizabeth, as regarded the deferred ratification of the Treaty of Edinburgh, was ready to receive a private letter from Mary. Lethington strove to bring Cecil into the arrangement for recognising Mary as heir: he strove in vain. At last Mary wrote, or rather Lethington wrote for her, from Seton, on January 5, 1562.[20] The Treaty of Edinburgh, she said, was prejudicial to her legal interest. She is near descended of the royal English blood; and there have been attempts to make her a stranger from it. She insisted on the compromise; she must be acknowledged heir, failing Elizabeth and her lawful issue. She asks for an interview. There the matter

stood, all kinds of rumours and secret plans being in the air, till May, when Lethington visited Elizabeth, and all seemed to go smoothly. But, as we shall see, the interview of the queens was then postponed, owing to the state of French politics.

In Scotland events of mysterious interest occupied men's minds during the spring. We have seen that Bothwell, the staunch though Protestant ally of the Regent and of Mary, had been at feud with Arran and Ormistoun ever since, in 1559, he intercepted Ormistoun and relieved him of the money sent by Elizabeth to the godly. Now Arran had been behaving in an eccentric way during February 1562. Randolph had "marked something strange in him" as early as February 21. He was nervous, afraid of something (perhaps of Bothwell), he wished to return to France, and he found security, for eight days, in bed! Randolph heard, however, that his feud with Bothwell was to be "accorded." On February 28 Randolph surmised that Arran "would play some mad part."[21] On March 25, 1562, Bothwell went to Knox and asked to be reconciled to Arran, whose confidant Knox was. Bothwell professed repentance for his "former inordinate life," his attack on Ormistoun, and his usage of Arran. He could not go to Court, he said, for fear of Arran, without a crowd of armed retainers, and this was expensive; so he wished the feud ended. Knox assured Bothwell of his goodwill, based on old feudal allegiance to his house. He advised him first to be reconciled to God. Though Bothwell, about this very time, chased his old foe Ormistoun, and took his son prisoner, the reconciliation with Arran was brought about, to the joy of the faithful. The foes met at the Hamilton château, near the fatal Kirk-of-Field, Knox being present. After a private conversation they parted, and next day met "at the sermon," and hunted together.

Knox had done a good stroke for his party. Arran was a Protestant. United with a Protestant Bothwell he might achieve much for Knox's cause. Hitherto Bothwell, though Protestant, had been true to Mary and to her mother. Four days later (March 29) Arran came to Knox and declared that Bothwell had announced to him his design to seize Mary and hand her over to Arran, to keep her in Dumbarton Castle. Mar and Lethington he would slay, "and so shall Bothwell and I rule all." In Arran's opinion, this was a mere device to trap him into treason. He meant to write at once to Mary and Mar (whom Knox now calls

Murray). Knox advised him to be silent. He was innocent, and to accuse Bothwell, just after reconciliation, would look ill. He would not be concealing treason, for treason implies "*consent* and *determination*, which I hear upon neither of your parts." Yet Bothwell had "shown" Arran "that he shall take the queen." Morton was later executed for concealing Bothwell's purpose, revealed by Bothwell to him, of killing Darnley. Possibly, on the question of law, Knox may have been in error.[22] If Knox perceived, when Arran consulted him, that the nobleman was insane and his tale an illusion, he probably did well in counselling him to say no more about the matter. But Arran was not to be advised: he did write to Mary and Mar, from his father's house of Kineil, adding that his father, Châtelherault, was "overmuch bent upon Bothwell's persuasions." Immediately afterwards, Arran escaped from a lofty window in his father's house of Kineil, hurried on foot to Grange's house in Fife, and was brought by Mar to the queen at Falkland, whither Bothwell also came, "which augmented the former suspicion." Knox wrote to Mar, "did plainly forewarn him that he perceived the Earl of Arran to be stricken of frenzy." In a few days Arran was, or affected to be, distraught, averring that he was Mary's husband. In a Council at St Andrews (April 15) Châtelherault was obliged to give up Dumbarton Castle to the queen. Arran had been examined, and though he now acquitted his father, he steadily maintained the charge against Bothwell.[23] "The queen both honestly and stoutly behaves herself," wrote Randolph. She was moved by the tears of Châtelherault when accused, truly or falsely, by his son. Bothwell was warded in Edinburgh Castle, whence he did not escape till the end of August 1562.

What was the truth in this mysterious affair? Mr Froude says that Arran "began to talk wildly of carrying Mary off from Holyrood by force. In the Earl of Bothwell he had a dangerous companion in discontent. In common with the other Catholic noblemen, Bothwell had found his services to Mary of Guise rewarded with apparent neglect." But, of course, Bothwell was not a Catholic nobleman.[24] Buchanan's story is that Bothwell had spent all on publicans and harlots. His only hope was in some bold stroke. He therefore invited Mar to aid him in cutting off the Hamiltons, and, when Mar refused, approached the Hamiltons with the scheme for cutting off Mar and seizing Mary. The rest

of the Hamiltons approved (Buchanan can believe anything bad about a Hamilton), but Arran detested and revealed the conspiracy. He wrote to Mar, Mar answered, Châtelherault opened the letter, and shut Arran up in a room high above the ground. He escaped and went with his tale to Falkland. Apparently Arran *did* leave Kineil by letting himself down from a high window, and this looks as if he were under arrest.[25] It seems that Knox's advice to Arran, that he should conceal Bothwell's intentions, was injudicious; but Arran was certainly mad, and there was no way of dealing with him.

At the very time of Arran's escapade (March 31) Randolph was writing that nobody at the Scottish Court resented the imprisonment of Lennox by Elizabeth. Earlier he had reported his belief that Mary would never again wed so young a lad as Lennox's son, Darnley. Elizabeth had discovered the Lennox scheme for this marriage, and had placed husband and wife in the Tower. Mary did not resent it; her politics ran entirely on her hoped-for interview with Elizabeth. On May 23 Lethington was sent to negotiate this interview. It was opposed by the Catholics, and, though the Protestants desired it, Knox thundered from the pulpit against the Anglican religion. The idea that Mary might embrace it "makes them run almost wild," says Randolph. "Last Sunday Knox gave the cross and candle such a wipe that as wise and learned as himself wished him to have held his peace." Knox was "vehement" in favour of "hearty love with England," but did not increase Elizabeth's good-humour by "wipes" at her ritual.[26] Mary as an Anglican would have been as odious to him as a Catholic Mary.

Mary was now engaged in a double current of affairs. First, Lethington went from her to Elizabeth (May 23-31); next, a papal nuncio visited her secretly. Since December 1561 the Pope had been encouraging Mary to work for the Church. He knew, he said, that she was secretly doing her best, and would send an envoy and bishops to the Council of Trent.[27] The Pope was mistaken. The Legate, Nicholas Gouda, left Antwerp in June, arriving in Scotland on the 18th. After skulking for a month in Errol, he saw Mary while the courtiers were at sermon on July 24. She thought it impracticable to send the bishops to the Council of Trent, but would rather die than change her creed. She could not grant a safe-conduct, nor punish any one who murdered the Legate. That was all. Gouda wrote the report on the Catholics already cited,

and returned to the Continent with a few lads who became Jesuits.[28] To the Council of Trent, Cardinal Guise, and the Pope, Mary wrote in the same terms as she had spoken to Gouda.[29] She would be happy to improve the wretched religious condition of her kingdom by all possible "studies, thought, labour, and effort," even at the cost of her life. These phrases are not confessions of a secret conspiracy against Protestantism. It is curious that her adversaries do not remark one simple fact. What Mary said to Gouda, and to the Pope, she had already said to Knox: "Ye are not the Kirk that I will nourish. I will defend the Kirk of Rome, for, I think, it is the true Kirk of God."[30] Mary made no secret about the matter. She would live and die a Catholic; as far as her influence went she would defend and nourish the Church. This is not the language of a woman engaged in a "conspiracy," as Mr Froude says, "prepared to hide her purpose till the moment came to strike, yet with a purpose resolutely formed to trample down the Reformation."[31] A queen who confesses her "purpose" to the hostile Knox cannot, in fairness, be said to "hide her purpose."[32] That Mary could not "defend," still less "nourish," her Church and her co-religionists was presently to be made manifest.

Almost simultaneous with the Legate's arrival in Scotland, where his life was not worth a pin's fee, were Lethington's negotiations in London. To arrange an interview between Elizabeth and Mary was difficult, and finally proved to be impossible. The diplomacy of the hour is interesting to the student of character, but too complex for an exposition in detail. In France during 1561 the House of Lorraine had been in the shade, and Catherine de' Medici had been in favour with Condé and the Huguenots, so lately within an inch of destruction. The Duc de Guise, however, had gained to his cause the Constable (Montmorency), the Marshal de St André, and the King of Navarre. The Grand Prior and de Damville, returning from their escort of Mary Stuart, had tried to make friends of the English Court, and in Paris the Duc de Guise endeavoured to conciliate Throckmorton. So far the influence of the Guises was in favour of the reconciliation between Mary and Elizabeth: it strengthened them, as against Catherine de' Medici. Mary herself, in the winter of 1561, had pleaded the Guises' cause with Elizabeth. To Throckmorton Elizabeth gave orders to favour the Guises, as he wrote to Mary himself (February 16, 1562).[33] Thus everything

had seemed propitious for the royal interview. But in March 1562 the religious hatreds of France broke into flame. In Scotland the Calvinists could safely insult their queen's religion and beat her priests. In France the Guises would tolerate no such indignities from the Huguenots. The massacre of Vassy, provoked by Huguenot offences to the Duke or not, was the beginning of tumults and cruelties wrought by each faction. From Paris Throckmorton announced a general Popish plot, even in Scotland.[34] As to Scotland, we know no proof of any such design.

Elizabeth cannot have been more amicably inclined towards Mary, while her uncles were threatening the Protestant cause in France, nevertheless Lethington was well received in June. Elizabeth consented to the interview. Feline amenities and expressions of affection passed between the rival queens. But (June 13) the French Ambassador in London, de Foix, reported that Elizabeth's council was hostile.[35] On July 1 he announced that the interview was expected to be near York on September 8, but that Lethington had no written assurance. He did not like the scheme. Mary would probably marry Don Carlos, and an Anglo-Spanish combination, if Mary came to the English throne, would be dangerous to France.[36] But despite the opposition of the Council, all seemed well till the middle of July. Various places and dates were spoken of, under the condition that the state of affairs in France proved favourable. But they did not. In July Elizabeth sent Sir Henry Sidney to tell Mary that the interview might not be. Guise had broken faith with Condé, the common people had licence to attack church-wreckers. General persecution without form of law was initiated by the Guises. Elizabeth could not leave the Court at such a juncture, but would meet Mary next summer. The Privy Council of Scotland on August 15 notified the arrival of this offer, but "would nowise give Mary counsel to commit her body in England; and therefore referred the place of meeting, and the security of her own person, to herself."[37] On August 14, at Perth, Mary accepted Elizabeth's new proposal.[38] Sidney reached Edinburgh on July 21, and saw Mary on the 23rd. She received his message "with watery eyes."[39] It seems probable that Elizabeth would not have met Mary in any case. She always, in the end, preferred abstention to action, as her many wooers knew. During Lethington's absence in London, Lord James had chastised the Borderers. He entered Hawick on market-day, and many a wife,

"up the water," waited vainly to hear her husband's horse's hoofs returning. Lord James caught and drowned a score or two of honest Scotts and Elliots—drowned them for lack of ropes to hang, and trees to hang them on.[40]

At Edinburgh, while Mary still hoped for the original tryst with Elizabeth, events not without sequence occurred. The General Assembly met on June 29. They sent a document to Mary, warning her against "perishing in her own iniquity," and asking that adulterers should be punished. The death-penalty was what the Kirk desired. They pleaded the cause of the poor, from whom the purveyors of the Kirk's and queen's third extorted their last penny. "It is a wonder that the sun giveth light and heat to the earth, where God's name is so frequently called upon and no mercy (according to His commandment) shown to His creatures." So much the poor had gained by the Revolution. Public relief, from the teinds and other sources, was demanded—in fact, a kind of Poor Law. A threat was uttered against Catholics who, where they had power, "troubled the ministers." The enforcement of the penal statutes was called for, but Lethington denounced the belief that Mary "would raise up Papists and Papistry again." The threat that the godly would again take the law into their own hands was resented. Lethington presented an expurgated version of the Assembly's petition, and nothing came of it all. (Knox, ii. 337-344.)

Two days before the Assembly, on June 27, a curious affray occurred. Long ago Ogilvie of Findlater had taken a Gordon lady for his second wife, and had disinherited James Ogilvie, his son by his first wife. His lands at this time were in the possession of John Gordon, a younger son of the fickle Earl of Huntly. Findlater's reasons for disinheriting his own son are stated thus by Randolph: The son "had solicited his father's wife to dishonesty, both with himself and with other men." Again, he plotted to lock his father up in a dark house [room], and keep him waking (as witches were used to be) till he went stark mad. On the old gentleman's death his wife married the heir, John Gordon, who "locked her up in a close room, where she remains."[41] From these family jars came a fight in Edinburgh streets on June 27, when Lord Ogilvie was wounded, and Gordon was imprisoned. He fled to his father, Huntly, on July 25. Mary had meditated a progress to the North before Easter.[42] Probably it was only

deferred during the negotiations with England. On August 10 Randolph, who was obliged to accompany her, ruefully reported her design to go to Inverness.[43] Mary at this moment was insulted by Captain Hepburn, who sent her obscene verses and drawings, and fled. This was probably a revenge for Bothwell, still a prisoner in Edinburgh Castle. On August 31 Randolph announced Mary's presence at Aberdeen. Huntly was out of favour, and she would not visit him, though his house was but three miles distant. He had been adverse to the meeting with Elizabeth, he was notoriously perfidious, his extortions were great, and he was suspected of advising his son John not to enter himself prisoner after his escape from prison. Lastly, when the queen reached Inverness, on September 9, she asked for the castle, which was held for Huntly as sheriff. The castle declined to admit her, but surrendered next day, when the captain was hanged. Mary stayed for five days at Inverness, and then went to Spynie in Moray, the house of the bishop. Huntly was expected to resist her at the passing of the Spey. Mary regretted that she was not a man, "to know what life it was to lie all night in the fields, or to walk on the causeway with a jack and knapschalle [steel cap], a Glasgow buckler, and a broadsword" (September 18).

Huntly, indeed, did send a force under his son John, but they retreated before the queen's army. Bothwell, who had escaped from prison, sent in his submission, but "her purpose is to put him out of the country." Knox thought that Bothwell escaped by Mary's connivance. On returning to Aberdeen, Mary gave to Mar the long-coveted earldom of Murray (September 18). To Huntly she sent, demanding surrender of a cannon which he possessed (September 25). Huntly protested his loyalty to her messenger with tears, and Lady Huntly implored her grace in the name of their common religion. Mary laughed at their entreaties. On October 9, Mary being still at Aberdeen, Huntly fled from his house of Strathbogie. On the 15th he was threatened with outlawry if he did not instantly surrender. Meanwhile Huntly's eldest son went to Châtelherault, and there was talk of his leaguing himself with Bothwell. Finally, on October 28, Randolph reports that Huntly, with a small force, has been defeated (at Corrichie), and has died suddenly, as a prisoner,—"without blow or stroke suddenly he fell from his horse, stark dead." John Gordon was executed on November 2, Huntly's body was brought to Edinburgh, young Adam Gordon was spared.

In May 1563 the dead man was tried, and forfeited, with his descendants. His eldest son was condemned, but was released after Mary's marriage.

This uprooting of her chief Catholic noble, by a Catholic queen, has been diversely interpreted by historians. We have followed the account by Randolph, an eyewitness and a man not easily deceived. Knox, on the other hand, was in Ayrshire, disputing with Quentin Kennedy and collecting rumours. "Mr Knox," says Randolph, "has many times given him warning of practisers, but this is the first that he, or any man, could assure him of." Randolph leaves no doubt that Mary was intent on her expedition, and became hostile to Huntly. It was she who refused to visit him at Strathbogie, "her Council find" the refusal to go "expedient" (August 31). She has just cause for disliking Huntly of long time "for manifest tokens of disobedience no longer to be borne" (September 18). "The queen is highly offended." "She will do something that will be a terror to the others." "I never saw her merrier, never dismayed, nor never thought so much to be in her as I find." "She trusts to put the country in good quietness" (September 23). "She believed not a word" (of Huntly's or Lady Huntly's apologies), "and so declared the same herself unto her Council" (September 30). "She is determined to proceed against them" (the Gordons) "with all extremity" (October 12). She refused the keys of two castles which Huntly sent in by a groom. "She said that she had provided other means to open those doors." "The queen is determined to bring Huntly to utter confusion." She declined to see Lady Huntly (October 23). On the trial of the prisoners of Corrichie, she "declared how detestable a part Huntly thought to have used against her, as to have married her where he would, to have slain her brother" (November 2).[44] Such are the comments of an eyewitness.

Turn to Knox. Says Randolph, "He is so full of distrust in all her [Mary's] doings, as though he were either of God's privy council that knew how he had determined of her from the beginning, or that he knew the secrets of her heart so well that neither she did or could have, for ever, one good thought of God, or of His true religion."[45] In Knox's theory, "one thing is certain, to wit, the queen was little offended at Bothwell's escaping." Yet Knox himself, he tells us, induced the Master of Maxwell to write to Bothwell, bidding him be a good subject, that his crime of break-

ing jail might be pardoned. Randolph says she was determined to exile Bothwell. Knox holds that when Huntly's eldest son went to Châtelherault, it was to bid him rebel in the South as *he* would in the North, despite "Knox's crying nor preaching."[46] He admits that Mary was really in anger with Huntly when she refused to visit Strathbogie. She was "inflamed" when John Gordon cut off a patrol of hers; but he doubts if she acted lawfully in thereon putting Huntly "to the horn." He says that Huntly expected many of Mary's forces to side with him. The van of Mary's men fought ill (this seems to be certain), and Knox attributes it to treachery. Mary "gloomed" on hearing of her victory at Corrichie. Murray's success "was very venom to her boldened heart against him for his godliness. . . . Of many days she bore no better countenance, . . . albeit she caused execute John Gordon and divers others, *yet it was the destruction of others that she sought.*"

The real plan was "that Murray should with certain others have been taken at Strathbogie; the queen should have been taken and kept at the devotion of the said Earl of Huntly." So Mary herself told Randolph; but Knox, in contradiction of his own story, avers that "it was the destruction of others that she sought," as if she had been Huntly's accomplice. Knox's method of writing history is astonishing. He avers that Mary received Huntly well, during her journey, at Buchan and Rothiemay; that she was "offended" when John Gordon broke promise to render himself prisoner; that she was later "inflamed" more and more,—by Huntly's refusal to yield two castles (which he *did* yield), and by John Gordon's treacherous attack on her patrol. All this is wholly inconsistent with a plot between Mary and Huntly. Yet he writes, "Whether there was any secret practice and confederacy . . . betwixt the queen herself and Huntly, we cannot certainly say."[47] The whole circumstances which Knox has related, Mary's original attitude to Huntly, and the repeated offences which "inflamed" her against him, confirm Randolph's account, and confute the suspicions of the Reformer. Mr Froude charitably supposes that Mary had a double policy. If Huntly could defeat Murray, and "set her at liberty,"—well. If Murray defeated Huntly, and so dropped his suspicions of herself,—well.[48] "Her brother read her a cruel lesson by compelling her to be present at the execution." The authority is not given.

These subtleties are futile. Mary was angered by Huntly's offences, and confirmed in her opinion of him by the confessions of his son John, and of a retainer of his, Thomas Ker. Murray, of course, gained by Huntly's fall, and so did the Protestant cause. We have seen an example of the gratitude of a preacher. Mary was true to her Church, but she was a queen, and true, so far, to her duties as a sovereign. George Buchanan tells an interesting historical romance on the whole subject. The Guises saw that they could not restore the Church while Murray lived. They trusted in Huntly. They therefore advised Mary to allure his son, John Gordon (a married man), with hopes of her hand: he might be useful in a massacre of Protestants. The Pope and a cardinal urged on Mary the same advice. Mary showed their letters to Murray, such was her artfulness.[49] The plot being laid, Mary went to Aberdeen: Lady Huntly, knowing that Mary hated Huntly and Murray equally, tried to fathom her designs. But Huntly secured Mary by promising to restore the Church. Mary came into the plot to murder Murray, only stipulating that John Gordon should first surrender. But John got together 1000 men and hung about round Aberdeen. Murray knew his own danger. The murder was to be done when Mary and Murray visited Strathbogie. But Huntly would not concede the point of his son's surrender, and to Strathbogie Mary would not go. Then came the refusal to hand over Inverness Castle, which turned all Mary's wrath on the head of Huntly, who still thought that his best plan was to murder Murray. He failed, and died at Corrichie. The queen wept at John Gordon's execution, which was cruelly prolonged; wept, doubtless because she hated Murray as much as Huntly.[50] The reader may now understand the value of Buchanan's evidence. A tolerant construction of Mary's conduct makes it clear that she was equally ready to win Huntly to murder her brother, or to purchase the English crown, as Mr Froude says, "by Huntly's blood"![51] For it is, of course, impossible that she merely designed the overthrow of a perfidious and rebellious kinglet of the North. If Mary "stooped to folly" and worse, we must remember that she was for years goaded by Protestant virulence, which turned her every act and word into evil.

The truth about the affair of Huntly seems to be this: Mary, under Lethington and Mar (Murray), was "running the English course." The great House of Hamilton, ever ready to change its creed, was hostile to her, and Huntly, a Catholic, was suspicious,

and probably was intriguing with the Hamiltons. Murray and Lethington may have exaggerated all this, and, under their advice, Mary swept Huntly from her path of reconciliation with England. Mary knew how her Catholic friends abroad would look on her conduct. She bade her uncle, the Cardinal of Lorraine, "make any excuses if I have failed in any part of my duty towards religion."[52] Her letter to the Duc de Guise on the whole affair (January 31, 1563) was burned in a fire at the premises of the binder to the British Museum.

NOTES TO CHAPTER V.

[1] For. Cal. Eliz., iv. 151, 152. [2] Knox, ii. 157-270.
[3] Hay Fleming, p. 257. [4] Knox, ii. 270, 276. [5] Knox, ii. 277-286.
[6] For. Cal. Eliz., iv. 376-379, note; October 24, 25. Bain, Calendar, i. 563.
[7] Diurnal, p. 68.
[8] Randolph to Cecil, September 7, For. Cal. Eliz., iv. 287, note.
[9] Randolph to Cecil, September 24, Keith, ii. 85, 86. [10] Keith, ii. 74.
[11] Throckmorton to Cecil, October 9, For. Cal. Eliz., iv. 362; Froude, vi. 525-527.
[12] Knox, ii. 289-290, and Laing's notes, and For. Cal. Eliz., iv. 352, note.
[13] For. Cal. Eliz., iv. 377, note, October 24, Randolph to Cecil.
[14] For. Cal. Eliz., iv. 428, December, Randolph to Cecil; Bain, i. 573-580.
[15] Knox, vi. 133-135; cf. Hay Fleming, ii. 262, 263, where the matter is fully discussed.
[16] For. Cal. Eliz., iv. 379, 426-429, December 7, 1561.
[17] For. Cal. Eliz., iv. 438.
[18] Knox, ii. 293, 294; For. Cal. Eliz., iv. 426-428. [19] Knox, ii. 294-310.
[20] Labanoff, i. 123-127. The letter is in Scots.
[21] For. Cal. Eliz., iv. 532, 537-539.
[22] Knox, ii. 322-327; Randolph to Cecil, March 31, 1562, For. Cal. Eliz., iv. 575, 576.
[23] Compare Knox, with Randolph to Cecil, For. Cal. Eliz., iv. 584-586, 628, 629.
[24] Froude, vi. 563. [25] Buchanan, fol. 204 (1582).
[26] For. Cal. Eliz., iv. 523, February 12, 1562.

It is at this period, when Mary had returned from St Andrews, that Knox seems to date his sermon against her dancing. On March 1 the Huguenots had insulted the Duc de Guise at Vassy while at his prayers, and had pelted him with stones. His men cut down a number of people indiscriminatingly before they could be restrained. Mr Froude says that Mary gave a ball on the day when the news of the affair of Vassy arrived. Knox says that she "danced excessively . . . *because* she had received letters that persecution had begun again in France." But the massacre was on March 1, and Mary does not seem to have returned from Fife to Edinburgh before the 19th of April, or even the beginning of May (Hay Flem-

ing, p. 518; Knox, ii. 330, note 7). Consequently the news of Vassy must have reached her long before, and she did not dance *because* or just after that affair, as Mr Froude thinks (Froude, vi. 547, 565). Indeed it was not till December that Knox preached against Mary's amusements, unless he did so twice or more, which is probable enough. His dates are often wrong.

[27] Raynaldi, January 12, 1562, No. clxxxii.; Philippson, ii. 39.

[28] Gouda to Laynez, Narratives of Scottish Catholics, pp. 63-79, September 30; Pollen, Papal Negotiations with Queen Mary, pp. 113-139.

There are some curious points in Gouda's report. He says that the queen, addressing Father Edmund Hay, who interpreted, spoke in Scots. He observes that even her confessor had left her: there is a persistent rumour that Riccio, later, was her confessor, though dressed as a layman. He fully confirms the Protestant account of the profligacy of the bishops. "I will not describe the way in which those prelates live, the example they set, or the sort of men they choose as their successors." Knox heard of Gouda's coming, and raged against him. Father Crichton adds that the preachers said "it would be a noble sacrifice to God to wash their hands in Gouda's blood." Ninian Winzet went to Mayence with Gouda, or perhaps rather earlier.

[29] Labanoff, i. 175-180. [30] Knox, ii. 283. [31] Froude, vi. 510, 511.

[32] Compare Hay Fleming, p. 269, for other views.

[33] For. Cal. Eliz., iv. 529. [34] For. Cal. Eliz., iv. 608, April 17.

[35] Teulet, Papiers d'État, ii. 22. [36] Teulet, ii. 29. [37] Keith, ii. 148-153.

[38] Labanoff, i. 150-160. [39] For. Cal. Eliz., v. 182.

[40] Randolph to Cecil, July 8, For. Cal. Eliz., v. 149. "Market-day" seems to be a picturesque traditional accretion.

[41] For. Cal. Eliz., v. 330, September 30.

[42] Hay Fleming, p. 301. [43] For. Cal. Eliz., v. 232.

[44] For. Cal. Eliz., v. 273, 303, 304, 319, 329, 360, 361, 386, 399, 421.

[45] For. Cal. Eliz., v. 560. [46] Knox, ii. 347.

[47] Knox, ii. 346-359. [48] Froude, vi. 606.

[49] Perhaps, as Father Pollen suggests, Buchanan is mixing up these events with a much later affair—the Papal subsidy of 1566, to be paid if Mary slew her chief Privy Council men, which she resolutely refused to do (Papal Negotiations, p. lx.)

[50] Buchanan, foll. 205-209. [51] Froude, vi. 614.

[52] Pollen, Negotiations, lviii. 163.

CHAPTER VI.

MARY'S MARRIAGE.

1563–1565.

DURING Mary's expedition to the North Elizabeth had been ill of smallpox. She had written to Mary explaining that the Guise persecutions in France had caused her, if not to make war, to undertake "military operations" in that direction. But she believed Mary's heart to be so true to her that rivers would remount their sources ere her Mary changed. On November 14 Maitland explained to Cecil the "perplexed case" of Mary. She loved Elizabeth, she loved her uncles. They would ask her to resume the old league "against your invasion." If she refuses, she loses their support; if she consents, what does she gain from England, above all, if Elizabeth dies? Maitland hears rumours of an intention to cut Mary off from the English succession. He asks Cecil's advice. Randolph (November 18) wrote that Chastelard had arrived, a gentleman of Damville's suite, with a long letter from his master. "He is well entertained," and he gave Mary a book of his own verses.[1] Now it was, in December, and not in spring, that Knox preached against Mary for dancing, on some news, he says, of a Guisian success in France. It cannot have been, as Mr Froude avers, the massacre of Vassy, an affair of nine months old. Randolph mentions the dancing, the sermon, and a meeting of Mary and Knox on December 16 When they met, Mary asked him to remonstrate with her in private, if he disliked her doings, not to attack her in public. Now, what she asked was her bare right. The Book of Discipline enjoins that "the offender ought to be privately admonished to abstain from all appearance of evil." Knox said that he "was not appointed to come to every man in particular to show him his offence." Then

he might have sent an elder:[2] in any case he broke the rules of his own Book of Discipline.

Presently rhymes and dances led Chastelard to his notorious end. Randolph thought that Mary was too familiar "with so abject a varlet" as a French gentleman and poet. Knox says that "sometimes privily she would steal a kiss from his neck,"—an indefensible licence, certainly, like Elizabeth's tickling the neck of her Dudley before the eyes of Melville. On the night of February 12, 1563, Lethington was setting forth on an embassy to Elizabeth. He, Murray, and two others sat with Mary in her boudoir till past midnight. Mary's maidens fell asleep in her bedroom, and Chastelard crept in, and hid where burglars are usually looked for by ladies. Two grooms of the chamber did look, and found Chastelard. Mary ordered him away: he followed her to Fife, and entered her bed-chamber. This he had done once too often: he was executed at St Andrews, near the Whyte-Melville fountain of to-day, on February 22. Of his behaviour on the scaffold contending accounts are given. Lethington told de Quadra that French people of rank had sent Chastelard to try to compromise Mary.[3] The name of his instigator Lethington gave as Madame de Curosot; the other names Mary would not allow to be written. Madame de Guise gave the name to the Venetian Ambassador as "Madame de Cursolles."[4] Chantonnay gave it to Philip II. as "Madame de Curosot."[5] Curosot is the Spanish cipher name for Chatillon, and the wife of the Admiral Coligny is intended, or the real name is de Cursol or Crusolles, later Duchesse d'Uzès. Chastelard was, doubtless, a Huguenot, if we believe Knox's story that he lamented his "declining from the truth of God"—that is, Calvinism. Knox says that he was executed "that his tongue should not utter the secrets of our queen."[6] Mr Froude says that Maitland's story is "an incredible lie."[7] Knox's is a charitable theory. If we believe Randolph, Mary had herself to blame for the fatuity of a minor poet. But, from Knox's point of view, so experienced a Messalina should have managed her intrigues more adroitly.

While Mary was being compromised by Chastelard, Lethington was on his way to London. Knox was not consulted, as of old, about his mission, and did not know its nature, as he tells us. Lethington was to negotiate as to Mary's succession, in London: in France also he was to negotiate, but we have not his instructions for his French mission. In England he was to find out the result

of the recent parliamentary discussion as to Elizabeth's heir. She had refused to name her successor, but the House was clearly opposed to a Catholic claimant. In fact, had Elizabeth gratified the Scots by naming their queen, Mary would have needed strong Catholic backing. That she could only receive from Spain, hence arose the plan managed by Lethington for wedding her, not to the Archduke, but to Don Carlos. This would be equally unwelcome to Elizabeth, to Catherine de' Medici, and to Knox. The preachers, letting politics ooze from their sermons into their prayers, implored the Deity, before Lethington had reached London, "to keep us from the bondage of strangers; and, for Mary, as much in effect as that God will either turn her heart or send her short life. Of what charity or spirit this proceedeth, I leave to be discussed unto the great divines," says Randolph.[9]

From London (March 18) de Quadra, the Spanish Ambassador, reported Lethington's ideas to Philip. Lethington said that he had made arrangement with Cecil, the old arrangement: Mary was to drop her claim to the English title: Elizabeth was to acknowledge Mary. But then had come Poltrot's pistol-shot, and the death of the Duc de Guise. With the fall of Mary's most powerful friend, and the deaths or disasters of her other Lorraine uncles, the agreement was ended. As to Mary's marriage, she would never wed a Protestant, nor, under any conditions, marry at the will of Elizabeth. She did not esteem the Archduke Charles of Austria, and, in short, aimed at the hand of Don Carlos. Her nobles would permit it, in the national interests, and the English Catholics were a strong party. Five days later, Lethington told de Quadra that Elizabeth proposed Lord Robert Dudley, her minion, for Mary's hand. This was a deliberate insult. Dudley was the worst man Cecil knew: he was ready to adopt any creed for his own advancement: a political traitor, with a pedigree recent and disgraced, and with a private character stained by his wife's death, he was no husband for a Stuart queen. Moreover, it is to the last degree improbable that Elizabeth would have parted from the object of her enigmatic passion. Such a proposal could only have come from an irreconcilable woman. De Quadra said that even Mary's own subjects preferred Lennox's son, Henry Darnley. Philip of Spain lent himself to Lethington's plan, Lethington having persuaded de Quadra that Mary might marry the King of France, and then, in the nick of time, de Quadra died. By August 20, Elizabeth, in her instructions to Randolph, laid her interdict on the marriage

with the Archduke Charles of Austria, or with any Catholic Prince.[10]

The whole of these negotiations for Mary's marriage were an inextricable tangle of duplicities. The Emperor was being deceived as to Mary's readiness to marry the Archduke. Mary was to be deceived by Elizabeth's offer of Leicester. De Quadra and Philip were gulled by Lethington as to the prospect of a marriage between Mary and Charles IX. of France. Finally, Kirkcaldy of Grange, on April 30, 1564, wrote to Randolph that there was no sincerity even in Lethington's attempt to arrange the Spanish marriage for Mary, a thing so detestable to Protestants. "The queen-mother hath written to our queen, that Lethington said to her, that all that was spoken of the marriage with Spain was done to cause England grant to our desires,"—namely, to recognise Mary as Elizabeth's successor.[11] Now Lethington may have said this to deceive Catherine, or, conceivably, what he said was true, and he was gulling Philip and de Quadra by two separate and simultaneous impostures. Lethington was "very capable of having it happen to him," and was an edifying Minister of a young queen.

In criticising Mary's conduct henceforth, it must be remembered that her high spirit was being fretted by rebuke, menace, and interference from every side. The loves of monarchs are always thwarted and controlled: it is a sore price that they pay for their thorny crowns. No doubt they should pay it dutifully. But a beautiful high-born girl of twenty-one is apt to resent an eternity of threats and lectures. At Easter the Archbishop and others had celebrated the rites of her faith, and the Brethren avowed their intention to take the law into their own hands. Some priests were seized. They had been ministering to their flocks, "some in secret houses, some in barns, others in woods and hills." They were imprisoned.[12] Some priests, as Quentin Kennedy, were threatened with lynch law. Mary sent for Knox, who met her at Lochleven. He quoted Samuel and Agag: Agag was the Archbishop, Knox was Samuel. "Phyneas was no magistrat, and yet feared he not to stryck Cosby and Zimbrye in the verray act of fylthie fornicatioun." Knox himself had just sat on the preacher Paul Methven, who had an ancient woman to wife, and a young maid-servant. Paul was excommunicated but not put to death. Mary left Knox, somewhat offended, but next morning talked to him of other matters. She said that Ruthven was "known to use enchantment," and had given her a ring, which she thought

ominous. Lethington had placed Ruthven on the Privy Council: Mary resented this, and Randolph tells Cecil that Murray dreaded Ruthven's sorcery.[13] Mary next warned Knox against allowing Gordon, later Bishop of Galloway, to be elected superintendent. Knox said that God would not suffer His Church to be deceived. But, in fact, Gordon had bribed several of the electors, as Knox later found out. Gordon, none the less, continued to "plant and visit the churches of that diocese."[14] So early was the primitive simplicity of the Kirk invaded by "horrid facts," as Knox calls Methven's offence. Lastly, Mary asked Knox to reconcile Argyll and his wife, and promised to do some justice on the prelates of her own Church. They parted peaceably, and tradition says that the queen gave Knox a beautiful watch.

On May 26 Parliament met. The corpse of Huntly and the living Sutherland, as involved in his treason, were condemned. Mary, of course, wore her robes, other ladies were in their best, and the preachers spoke boldly against "the targeting of their tails," "the stinking pride of women." The people, however, cried, "God save that sweet face!" Alas, for the sweet face, and for the girl who, weekly and daily, was thwarted and denounced from the infallible pulpit! From the rites of her creed to the dances of her drawing-room; from the trimming of her skirt to the bestowal of her hand, Mary was eternally checked and scolded. Recklessness was the necessary result, and when recklessness met passion, we may and do condemn, but we cannot affect not to understand the results. Before Parliament met, on May 26, measures were taken against the Catholics. The Archbishop and others were imprisoned for doing what it was their duty, and their point of honour, to have done. During the session the preaching party won some legislative triumphs. The penalty of death was decreed against breakers of the Seventh Commandment. Christ's leniency to the sinful woman did not commend itself to the Reformers. The penalty of death was also decreed against witches, and this abominable law was carried into effect frequently, for four generations, both under Presbyterianism and Episcopacy. Manses and glebes were to be restored to the ministers, and a reforming commission was to inspect the University of St Andrews. Parish kirks were to be repaired, and cruives or coops, and other traps for salmon, were condemned.[15]

Knox preached against the backsliding lords. Had not God's Spirit in Knox promised them victory. Had he not prophesied

their success when he stood by them in their "most extreme dangers," at Perth, at Cupar Moor (where they were in overwhelming numbers), and on "the dark and dolorous night, wherein ye all, my Lords, with shame and fear, fled from this town." It was all true; Knox had been the heart of the wars of the Congregation. But for him they would have quailed and scattered before the Regent. And now, again, they were "fleeing from Christ's banner." Their very religion, some said, was not established by a lawful Parliament (as it emphatically was *not*). This was the opinion of Sinclair, Dean of Restalrig, and as he afterwards rose to the highest judicial rank as Lord President, his opinion is worth noting. "To end all" of his harangue, Knox turned to the queen's marriage. He knew, or guessed, as Randolph had done months before, that Don Carlos was to be the man. "Duckis, brethren to Emperouris and Kingis, strive for all the best game; but this, my Lordis, will I say (note the day and beare witnesse after), whensoever the Nobilitie of Scotland, professing the Lord Jesus, consentis that ane infidell (and all papistis are infidellis) shalbe head to your Soverane, ye do so far as in ye lyeth to banishe Christe Jesus from this Realme." "These words, and this manner of speaking, were deemed intolerable" by all parties, says Knox, and, for a year and a-half, he and Murray were not on speaking terms. The sermon, says Mr Froude, "contained but a plain political truth of which Knox happened to be the exponent." The political truth is that recognised in our present constitution. A Protestant realm must have a Protestant on the throne. But was it necessary to say that "*all* Papists are infidels"? And is not the danger to liberty from "inspired" pulpiteers as great as that from a Catholic prince? Mary was informed of Knox's sermon. She sent for him; he was accompanied by Lord Ochiltrie, whose daughter he was courting. In January Randolph had written that "Mr Knox shall marry a very near kinswoman of the Duke's (Châtelherault), "a lord's daughter, a young lass not above sixteen years of age." "Ochiltrie," says Mr Hume Brown, "was a person of little standing or consequence." He was of the royal blood and name, near akin to Châtelherault, and sat in the Privy Council. The disparity of rank between the lovers was as great as the disparity of age, Knox being about fifty-nine. Catholic pasquils accused him of winning the girl's heart by sorcery. This may imply that she was not constrained in her choice, but was honestly in love with the Reformer. After his death she

married one of the leading ruffians of the age, Andrew Ker of Faldonside on Tweed.

Secure in his passion for a still younger beauty than his queen, Knox was doubly safe from the enchantments of Mary. In their interview the "owling" of the queen ("howling" is meant) produced no effect on Knox. Mary asked, as before, why, if he must admonish her, he could not do so in private: Knox had already replied (p. 123). As to her "owling," Knox said, "I never delighted in the weeping of any of God's creatures; yea, I can scarcely well abide the tears of my own boys, whom my own hand corrects, much less can I rejoice in your majesty's weeping." His right to interfere was that of "a subject born" within the commonwealth. As there was then no newspaper press, and no "platform," the pulpit alone was the place where ordinary subjects could vent their ideas. Unhappily they claimed to be inspired, and hence arose the later war of Kirk and State. As to Don Carlos, if we believe Knox, Lethington, returning in June, denied that Mary had ever dreamed of him for a husband. In England, Knox tells us, Lethington worked to release Bothwell, who, some time after his flight in 1562, had been caught at sea and held a prisoner. According to Randolph, Bothwell had several times tried to murder Lethington: even now Randolph thought Mary too lenient to Bothwell. But his imprisonment, however deserved, had been unjust: there was no evidence against him except Arran's word, and Arran was more or less insane. Elizabeth had even less right to detain him. At Mary's request he was released early in 1564, and joined the Scots Guard in France. Knox adds that Lethington had been labouring for the return of Lennox. He had certainly opposed Lennox's claims to rank before Châtelherault, and his theory of the illegitimacy of the head of the Hamiltons.

Whatever part Lethington played, on June 16 Elizabeth requested Mary to consider the pleas of Lennox and his wife for restoration to their legal status in Scotland.[16] Lady Lennox was daughter and heiress of Angus; Lennox, before he turned Englishman and was forfeited in 1543, held the Castle of Dumbarton. The Hamiltons had entered on a great share of the Lennox properties. The return of Lennox to Scotland boded no peace, and Elizabeth had once before told him that his pleas were but "colour for a higher feather," the marriage of his son, Darnley.

to Mary. In July Randolph, instead of accompanying Mary to the Highlands in a kilt, as he had intended to do, was recalled to the English Court. On August 20 he received, as we have already said, the instructions of Elizabeth. He was to threaten breach of amity if an imperial marriage was designed, and to hint, as from himself, that Elizabeth would resign to her Dudley, —"*such an one as she would hardly think we could agree unto*," wrote Elizabeth with her own hand. This marriage would "further Mary's interest, if so she should appear that she be our next heir."[17] For many months Mary was held in the toils of this absurd, insulting, evasive proposal. Elizabeth merely wished to gain time, and to pose to herself as the heroine of a novel of self-sacrifice. Thus she fretted Mary into her fatal step, the ruinous marriage with Darnley. Even Murray faintly resented the interferences of Elizabeth.[18] Knox wrote to Cecil in distress. Nine out of twelve of the Council would accept Mary's desires. If Murray remained staunch, then there was hope; Mary was "born to be a plague to the realm," she and her "inordinate desires." On the same day Knox wrote to Dudley (October 6). Either Knox was a man of wonderful simplicity, or he took the most roseate view of Dudley's character by design. He suggested a hope that this wretched minion might "walk in that straight path that leadeth to life." He hoped that Dudley, who was ready to sell himself to Spain, would "advance purity of religion."[19]

At the same time (October 9) Knox took a step which was bold, but proved safe. In these evil days he had little to comfort him except the burning of two witches.[20] But, in Mary's absence at Stirling, the mass was attended by Catholics at Holyrood, in contravention of the arrangement permitting it only where she was at the time. Some of the godly were deputed to spy on the Catholics and note their names. There was brawling in the chapel. Armstrong and Cranstoun, the offenders, were committed for trial. Knox, therefore, was commissioned by the local Brethren to write for aid to the godly everywhere. Masses, he said, were openly maintained. "The blood of some of our dearest ministers has been shed without fear of punishment or correction craved by us," apparently in private feud. And now Cranstoun and Armstrong are under charge of intended murder and invading the palace. He convocated the godly to Edinburgh for the day of the trial.[21] Murray and Lethington in

vain pointed out to Knox the nature of his act. He was resolute: he appeared before the Court attended by a vast crowd. Mary laughed, Knox says, and promised to repay him for making her weep. She was foiled, and "the rigid minister prevailed." Knox browbeat the Council and judges, who, of course, had preceded him in convoking unlawful assemblies. He was unanimously acquitted, though if it was illegal to assemble a multitude to overawe justice, he ought to have been condemned. Mary asked whether "to make convocation of her lieges was not treason?" Ruthven, whom "all men hated," says Randolph, observed, "Nay, for he makes convocation of the people to hear prayer and sermon almost daily, . . . we think it no treason." Mary brushed the slender sophistry away. Knox maintained that what he had done "I have done at the commandment of the general Kirk of this realm." As Mr Hume Brown writes, Knox acted "with the consent of the faithful in Edinburgh, though probably on his own initiative."[22] Knox himself tells us that he had a general charge "to make advertisement whenever danger should appear."[23] The "general Kirk" had no more legal right than the members of any other "band" to convocate the lieges and overawe justice. It was against this practice of theirs that Mary's son, James VI., had to fight so long and sore a battle. But the Council had been, and again might be, in the same case as Knox. Thus the Kirk won a great triumph over the State, and appeared as *imperium in imperio.* To modern minds it seems that the Council should have committed Knox, while the judges of Cranstoun and Armstrong might have acquitted them, as they had merely disturbed an assembly not lawful in the eye of the law which prohibited the mass. A General Assembly supported Knox and ratified his behaviour. The antagonism of Kirk and State and the right of the Kirk to call men to arms were thus proclaimed: nor was the condition of things much improved, in essentials, till the Revolution of 1688.

At this date (December 21) Randolph mentions a domestic incident which yet lives in poetry. The queen's French apothecary had an intrigue with a French maid of the queen's, and administered drugs to obviate the results. Both of the guilty pair were hanged. This is the basis of the famous ballad of "The Queen's Maries," or "Mary Hamilton." No Mary was of the Hamilton House: no Mary, of course, fell into this disgrace and doom.[24] Knox gives

a version different from that of Randolph, and alludes to "the ballads of that age." He also avers that "shame hasted marriage between John Sempill and Mary Livingstone," one of the queen's Maries. Dates appear to confute this allegation. Randolph, on January 9, 1564, mentions the wedding as to be celebrated between this and Shrovetide 1564, and on February 19 expects the nuptials in about a week. On January 9 Bedford was being invited to the bridal,[25] which was celebrated on March 4, 1565.[26] Obviously there was no violent hurry, and it is necessary to be watchful in accepting Knox's anecdotes. Mary granted lands to the bride and bridegroom on March 9, 1564.[27] The irritation of the Deity declared itself in "wet in great abundance," which fell on January 20, and froze. There were also "seen in the firmament battles arrayed, spears and other weapons. . . . But the queen and our Court made merry," says Knox, though rain and an aurora borealis occurred in midwinter. And yet the preachers were doing their duty. For a lapse from chastity "the Lord Treasurer, on Sunday next, must do penance before the whole congregation, and Mr Knox make the sermon."[23]

Of far more real historical importance than the intrigues as to Mary's marriage was the tyranny of the pulpiteers. The rift between them and the Council grew daily wider as the General Assembly of June drew near. "The threitnyngis of the prechouris wer feirfull," writes Knox in an orthography which takes nothing from the terror. The daily menaces, bellowed in sermon or breathed in prayer, hampered a Government which had to deal with statesmen of this world. In England Elizabeth, from her seat, bade a preacher be silent when his remarks displeased her. In Scotland statesmen dared not face the preachers openly, and fight out once for all the battle of secular freedom. Lethington ventured to say that "men know not what they speak when they call the mass idolatry." Knox in the pulpit prophesied evil for Lethington, and lived to see his ruin. Meanwhile Lethington smiled; "we must recant, and burn our bill, for the preachers are angry." At the General Assembly Argyll, Murray, Morton, Glencairn, the Earl Marischal, and Rothes held aloof from the Brethren, as did even the faithful laird of Pitarro, Wishart. A debate was held, in which Lethington ironically advised Knox to "moderate himself" in his political prayers, which, as Randolph

has shown us, were rather in the nature of curses. "Others may imitate the like liberty, albeit not with the same modesty and foresight." An argument followed, which Knox reports in thirty-six pages, the last pages of the History which he certainly wrote himself. (The Fifth Book, Laing thought, "has been chiefly derived from Knox's papers by some unknown hand.") It is needless to dwell on a controversy in which Lethington had to fight for modern freedom from clerical dictation on a field composed of texts chosen from the sacred books of an ancient oriental "peculiar people." Lethington thought that no contemporary of his own had a right to imitate Jehu, and kill people whom Knox called "idolaters." Knox, of course, was of the opposite opinion. Lethington forgot to counter Knox with Hosea's denunciation of Jehu and his crime. In the long discussion, of course, neither party converted the other. "In all that time the Earl of Moray was so estranged from John Knox that neither by word or letter was there any communication between them."

Meanwhile, as regarded Mary's marriage, Randolph found abundant goodwill, but no advance in business. His difficulties were caused by Elizabeth. First, she wanted Mary to marry infinitely below her rank; next, to marry a man known to be in love with herself. "The world would judge worse of him" (Dudley) "than of any living man, if he should not rather lose his life than alter his thought."[29] Finally, Mary had no assurance of any reward if she did marry Elizabeth's favourite. Murray and Lethington even put forward Darnley, though not with conviction. Knox had suspected Mary because she kept no garrison on Inchkeith. Randolph suspected her because she introduced a garrison.[30] On March 30 Randolph at last explicitly named Dudley as Elizabeth's choice for Mary. "Is that," said Mary, "in conformity with her promise to use me as her sister or daughter?" What did Mary take by it, if Elizabeth had children? On April 30 Kirkcaldy warned Randolph that Lennox was coming to Scotland, and that Mary might bring Bothwell back "to shake out of her pocket against us Protestants."[31] As for Lennox, on June 16, 1563, Elizabeth had requested Mary, as we saw, to consider the several suits of Lennox and his wife. By May 22, 1564, Randolph announced that Lennox was coming to "sue his own right" as to his Scottish lands. Yet Elizabeth, as Dr Hay Fleming says, "was ignoble enough to suggest that Mary should take the blame by withdrawing

that permission" (for Lennox to visit Scotland) "which at her desire she had granted."[32]

Mary's Council had meanwhile determined that she should not meet Elizabeth this year. Mary, says Randolph, felt "sorrow and grief" (June 5). Randolph returned to England in June, and Lethington complained to Cecil of English delays and want of frankness (June 23). Murray told Cecil that he had not opposed Lennox's home-coming, that his arrival bred no fears for religion, that the Protestants enjoyed "liberty of conscience in such abundance as our hearts can wish," and that Mary could not in honour prevent what she had granted at Elizabeth's request. If Elizabeth objects, let her refuse permission to Lennox.[33] The truth is that on May 3 Knox had warned Randolph against permitting Lennox and Darnley to come back. "Her wanton and wicked will rules all."[34] On this hint Cecil told Lethington that the Scottish friends of England "like not Lennox's coming." "I cannot tell whom you take to be your best friends," answered Lethington, but he and Murray had been England's allies, and they have rather furthered than hindered the arrival of Lennox. If Elizabeth objects, Lethington is amazed, "seeing how earnestly her majesty did recommend unto me my Lord of Lennox's cause." Lethington then, by Cecil's desire, returned to him his own letter, containing Elizabeth's request for the refusal of permission to Lennox to enter Scotland. Mary replied with equal spirit, and thereby vexed Elizabeth. That inconstant woman was so entangled in her own nets that, according to Mr Froude, she was "harassed into illness, and in the last stage of despair." In point of fact, it was not Elizabeth but Cecil that was ill when the queen wrote to him, in Latin, asking him to find "some good excuse" ("something kind" Mr Froude renders *aliquid boni*) "to be inserted in Randolph's despatches."[35]

In September, after returning from a northern progress, Mary sent Sir James Melville to the English Court. The knight tells the tale, in memoirs written long after the event, and not too trustworthy. Murray and Lethington were still resolute as to Lennox's visit. It was by Elizabeth's wish, and they would not waver with her waverings. Kirkcaldy of Grange wrote very frankly to Cecil about the Dudley marriage. "If you drive time, I fear necessity may compel us to marry where we may. . . . Ye may cause us take the Lord Darnley" (September 9). Melville went to Court, and his Memoirs contain a lively account of his strange

experiences. Every one knows how, when Elizabeth created Dudley Earl of Leicester, she "tickled him smilingly on the neck." Every one has heard of Elizabeth's efforts to extract compliments at Mary's expense, and how she danced "high and disposedly," and called Darnley "yonder long lad," "beardless and lady-faced," says Melville. Melville, in fact, had a secret commission to secure Darnley's presence in Scotland. On his return he did not conceal from Mary that Elizabeth was utterly insincere: offered Leicester, but would never part with him. But to offer Leicester was Randolph, with Bedford, now authorised.[36] The vaguest references were made to Mary's recognition as Elizabeth's heir. The absurd, if not immoral, proposal of a *ménage à trois*, Leicester and Mary to live with Elizabeth, was actually hazarded.

From this point the diplomacy is so prolix and entangled that only the most important facts can be noted. Throughout, the object of Elizabeth was to "drive time" and to perplex. Till March in 1565 Murray and Lethington seem to have sided with their mistress. Lethington's one object, pursued with a passion strange in the man, was the union of Scotland and England. To have secured this, he says, will bring as much honour as was won by the men who fought beside Bruce for freedom. But he was to be foiled by the cunning of Elizabeth; by her passion for Leicester, whom she was pretending to offer to Mary; by the appearance (which Cecil, Leicester, and Elizabeth procured) of Darnley in Scotland; by the consequent revival of the Lennox and Hamilton feud; by a new feud raised between Murray and Darnley; and by the sleepless opposition of the godly. From all these causes, aided by Mary's sudden caprice for Darnley, and by Elizabeth's opposition to the Darnley as to all other marriages, the amity between England and Scotland was broken, and the wars of the Congregation began again, as before, under the sanction and with the aid of Elizabeth. On her lies the first blame: she had at last broken down the self-restraint and aroused the temper of Mary. Then followed the "strange tragedies" which Lethington had predicted. These are the chief circumstances and influences in the space between October 1564 and Mary's resolution to marry Darnley, announced in April 1565.

To follow events more closely, Lennox's restoration was publicly proclaimed at Edinburgh Cross on October 13. Since 1543 Lennox had been "English." His wife, daughter of Margaret

Tudor, was as mischievous an intriguer as ever her mother had been. She, doubtless, was a Catholic, and many of Lennox's men went to mass in Edinburgh.[37] But Lennox himself went to "the preaching place," so did Darnley; their religion, like that of Prince Charlie, "was still to seek." Nevertheless, their party in England was the party of the Catholics.[38] On October 24 Randolph found that "many desired to have Darnley here." Yet (November 3) he did not find that Mary and Lethington shared this wish. Châtelherault was in despair now that his hereditary foe, Lennox, was in favour, and had no hope save in Elizabeth. A secret meeting at Berwick between Murray and Lethington, Randolph and Bedford, was arranged, but led to nothing. A little explosion of bad temper took place: nothing was advanced. Randolph (December 2) was opposed to the coming of Darnley, which was earnestly pushed by Leicester and Cecil, of course with Elizabeth's concurrence.[39] The coming was not yet, not till February 1565. What was Elizabeth's motive? Probably the same as that of Leicester—namely, that Darnley might captivate Mary, and render nugatory the self-sacrifice which Elizabeth had promised, the parting from her minion. Mr Froude writes as if Darnley was barely allowed to come, in consequence of hopes held out by Mary to Randolph that she would be obedient to Elizabeth. But this was on February 6, 1565. Now Darnley reached Berwick by February 10. From a letter of Cecil's, written on February 5, Randolph "perceived what earnest means have been made both by Leicester and your honour for Darnley's licence to come to Scotland," a licence which he thought fatal to his mission. "How to frame this that it may be both to her majesty's honour and thorough contentment in the end, I must take one care more upon me, . . . which must be supported by your honour's good advice, for truly of myself I know not yet what to think, or how to behave myself" (February 12, 1565).[40]

Now Mr Froude argues that on February 6 "Randolph wrote to Leicester as if there was no longer any doubt that he would be accepted. . . . Elizabeth permitted herself to be persuaded that Mary Stuart was at last sincere. Cecil and Leicester shared her confidence, or were prepared to risk the experiment, and Darnley was allowed leave of absence for three months in the belief that it might be safely conceded."[41] Dates destroy this effort to shelter Elizabeth. Leicester and Cecil had used "earnest means" for Darnley's journey, and had succeeded, *before* Ran-

dolph wrote the encouraging letter about Leicester's acceptance on February 6. As to "sincerity," of course neither Leicester nor Elizabeth was sincere at any time, least of all in desiring Mary to wed Leicester. That was precisely what they were scheming to prevent, while Elizabeth was pretending to think of marrying the small boy who was King of France. It must be confessed that this device — namely, to use Darnley as a *paratonnère*, or lightning-conductor—to divert Mary from Leicester looks rather like a scheme in a novel than a stratagem in diplomacy. But Melville states the plot as a matter of fact in his Memoirs (pp. 129, 130). Randolph had to try to suppress the suspicion of the plan, which was rife in Scotland: when the plan succeeded, he exclaimed that Elizabeth was most fortunate, and Mauvissière, the French envoy, had no illusions about Elizabeth's part.[42] The English Court perfectly well knew Darnley's aim. Cecil had announced it to Sir Thomas Smith on December 30. On February 3, 1565, hints were drawn up for Throckmorton as to affairs in Scotland, and what would occur "if Darnley hit the mark."[43] In short, Elizabeth and her ministers deliberately, and beyond doubt, entangled Mary in the fatal snare of the Darnley marriage. On February 19 Randolph reported Darnley's movements. He dined with Lord Robert Stuart, Mary's brother, whom Randolph thought his evil genius. Yet Lord Robert alone warned Darnley at the last.

He met Mary at Wemyss Castle, in Fife, on February 17. Thence he went to see his father and Atholl at Dunkeld, returned and went with Mary to Edinburgh, heard Knox preach, supped with Murray, and danced with the queen. "His behaviour is very well liked, and hitherto so governs himself that there is great praise of him" (February 27).[44] What did Lethington think? He merely wrote to Cecil (February 28) that he was in love (with Mary Fleming), and therefore "in merry pin."

Meanwhile Bothwell was asking for leave to come home from France, and Randolph (March 3) was much in doubt as to Mary's real sentiments. Elizabeth's were plain: she let Mary know that, even if she married Leicester, her recognition must wait till the English queen either married or announced her resolve never to marry—till the Greek Calends, in fact.[45] Mary wept, and Lethington said that he could not and would not advise her to wait any longer. Murray was "the sorrowfullest man that can be."[46] This was on March 17; on the 20th Randolph reported trouble;

Mary was aiming at general toleration, but her godly subjects would die rather than permit freedom of conscience. Lennox was gathering adherents—Atholl, Caithness, the detested Ruthven, and Home. Châtelherault, Argyll, and Morton (jealous of the Douglas lands of Angus, to which Lady Lennox had a claim) were watchful on the other side. Murray was at feud with Lennox's friends. Darnley, when Lord Robert Stuart showed him Murray's possessions on the map, "said that it was too much." Murray heard of this, and Mary bade Darnley apologise (March 20).[47] Meanwhile Riccio, a Piedmontese and musician, had "croope in" to be Mary's Secretary for French Affairs.[48] Knox writes of the summer of 1564, "Davie began to grow great in Court. . . . Great men made in Court unto him, and their suits were the better heard."[49] Riccio was born about 1534, and came to Scotland in the suite of the Marquis de Morette, Ambassador of Savoy, in 1561. He became a *valet de chambre*, like Molière, and succeeded Raulet, as French secretary, in December 1564. His influence in March 1565 was already very great. The fatal piece was now set, and all the characters of the tragedy were falling into their places.

Murray was on less amiable terms than usual with Mary in the season of Easter. Her hour had dawned, and she was hurrying to her doom by the paths which the Stuarts were wont to tread. Her religion, by no fault of her own, was in itself fatal. She had a favourite servant, a foreigner and low-born, even as such men were dear to James III. She had, as was soon too obvious, a fatal caprice for Darnley, a boy, a fool, and a coward. Her best allies, Murray and Lethington, were day by day more estranged. The nobles were grouping into two hostile "bands"; the Stuart and Hamilton feud was captained on either side by Lennox and Châtelherault, while Mary, from clan sympathy, stood by the Stuarts. Men were alarmed for their lands, once those of Lennox, and apt to be restored to him. The Protestants were in the state of apprehensive fear and wrath, which is the mother of revolutions. Mary herself had been goaded into reckless wilfulness. The stress of contending world-forces was thrusting against a girl, and against a lad, who in our day might still have been at a public school. Darnley, in fact, now suffered from the puerile complaint of measles, and Mary's assiduity in nursing him at Stirling in April set tongues moving.[50] Her self-restraint was tried by a cowardly assault on a priest, who was pilloried, pelted with "thousands" of

eggs, and put into irons. Mary bade the Provost of Edinburgh release the man, with two Catholics who had heard his mass. "There is now greater rage amongst the faithful," says a spy, and the faithful were also resenting the idolatrous doings of Elizabeth. Murray and Lethington had asked Cecil to labour for the suspension of an edict enforcing the clerical costume of "tippets and caps," and the godly heard with horror that Elizabeth had silenced a preacher in mid-sermon.

While men's minds were thus inflamed there were distinct rumours that Mary had secretly married Darnley. On April 26 the French Ambassador at London wrote to Catherine de' Medici announcing the arrival of Lethington, and of letters from Randolph declaring that Mary was already wedded (he means affianced), and that only the ceremonies of the Church remained to be fulfilled.[51] The Spanish Ambassador was of the same opinion. Information was sent to the Tuscan Court that Mary and Darnley had been wedded, or betrothed, in the chamber of Riccio.[52] On April 24 Elizabeth gave Throckmorton certain instructions for a mission to Scotland: on May 2 he received another set of orders. He was to tell Mary that Elizabeth and her Council thought the marriage prejudicial to friendship with England. She has told Lethington that Mary may marry any other English noble, but Lethington is "tied to his message for Lord Darnley." Only if Mary takes Leicester will Elizabeth stir in the matter of the succession.[53] Meanwhile (April 28) Bedford represented Murray as neutral on the Darnley marriage.[54] On May 4 Throckmorton started for Scotland: Lethington, contrary to express orders, returned with Throckmorton. Already "a day of law" had been given to Bothwell. He had been in Scotland since March, "unlooked for, uninvited, the evil spirit of the storm," says Mr Froude. He adds that Bothwell "reappeared at Mary's Court; she disclaimed all share in his return; he was still attainted, yet there he stood—none daring to lift a hand against him—proud, insolent, and dangerous."[55] As a matter of fact, Bothwell was not attainted, nor did he reappear at Mary's Court. The statements are eminently picturesque: thus, perhaps, history ought to be written, but not on this wise did facts occur. On March 1 Randolph had reported that young Tullibardine arrived as an envoy from Bothwell, asking either for his return from France or for money. Mary was "not evil affected towards him," said Randolph; but while Arran remained a prisoner Bothwell could not return to

favour. On March 10 Bedford, from Berwick, reported that Bothwell was skulking at Haddington and elsewhere: "he finds no safety for himself anywhere." Lethington and Murray wished him to be "put to the horn." He was accused of calling Mary the mistress of her uncle, the Cardinal. On March 15 Randolph wrote that the queen "now altogether mislikes his home-coming without her licence." She had sent a sergeant-at-arms to summon him to stand trial. On March 24 Bedford wrote that Bothwell had been summoned for May 24.[56] In fact, May 2 was the date of Bothwell's summons. Bedford feared that Mary secretly aided Bothwell, whom he accuses of a hideous vice. A passage in the confession attributed to Paris, after Darnley's murder, bears on this charge, but such confessions are of dubious value. In Liddesdale Bothwell was abetted by the lawless reivers of the country. But on the "day of law" Bothwell dared not face Murray; no marvel, as Murray brought some 6000 armed men into Edinburgh. Such was the invariable Scottish method of overawing justice. Bothwell fled back to France: he was condemned; but apparently Mary did not allow him to be put to the horn.[57] She was blamed for her lenity, the Protestants believing that she meant to use Bothwell as a bravo on fitting occasion.[58] Such are the facts about Bothwell's uninvited visit to Scotland. Murray used the great gathering of May 2 for other purposes of intrigue, as we shall see.

Meanwhile Randolph, who had been perplexed by Elizabeth's sending of Darnley, admitted that "a greater benefit to his queen's majesty could not have chanced" than the Darnley marriage (May 3).[59] Mary "is now in almost utter contempt of her people." She was accused of saying that Murray desired the Crown, and Murray and Argyll never appeared at Court together for fear of treachery. The Darnley party were Lennox, Ruthven, Atholl, and Riccio. The preachers were demanding the abolition of Mary's private mass. After Bothwell's "day of law" Murray joined Mary at Stirling, where he declined to sign the contract for Darnley's marriage. Darnley, he said, was rather an enemy to than a professor of Christ's true religion. "He is now thought to be led altogether by England," as no doubt he was. His motives remain inscrutable, but were probably mixed. He hated Riccio. Darnley had given him personal offence. He was constant to Protestantism, and to Elizabeth (May 8).[60] Mary was to create Darnley Earl of

Ross: the nobles were assembled at Stirling for the conclusion of his affair. But by May 12 Lethington, returning from London against Mary's orders, had rested a night with Throckmorton at Berwick, whence he wrote to Leicester. Murray, he said, would never consent to the wedding unless Mary turned Protestant. Argyll declined to see the queen. On May 21, from Edinburgh, Throckmorton reported the results of his mission.[61] It is of little importance; but if Lethington, as Throckmorton says, was in Edinburgh with him on May 13, why was Lethington in Berwick on May 15?[62] He reached Stirling on the 15th, but was not admitted to the Castle till the ceremony of belting Darnley as Earl of Ross was ended. When presented to Mary, he argued with her about her conduct, and learned that Mary was sending a new envoy to Elizabeth—Hay, Commendator of Balmerinoch. Throckmorton thought that Elizabeth might still interfere, by force or by negotiation. On the same day Randolph wrote to Cecil, expressing sincere pity for Mary. He had hitherto found her worthy, wise, and honourable, but now she has overthrown all for love of Darnley. Randolph for some time harped on Mary's passion for Darnley, which he even attributes to sorcery, just as Knox was said to have bewitched his second bride. This absurd theory, held alike by Protestants as to Darnley and by Catholics as to Knox, still survives — in the superstition of the blacks of Australia. But Randolph perhaps attributes the witchcraft to Ruthven, whom he does not name, but whom Murray hated "for his sorceries." Any man, he says, "that ever saw her, that ever loved her," would pity Mary. Her very beauty is altered. Meanwhile, by bluster and blows, Darnley had made himself detested.[63] It is worth while to note that Randolph regards Mary's passion for Darnley as overmastering, because by September 19 in the same year he had begun to insinuate that Mary was Riccio's mistress, and presently dropped the same hint as to her relations with Bothwell.[64] That a woman should have so many passions, in so short a space of time, seems almost beyond possibility, unless Mary was a Messalina, which is not proved or probable.

After this point the intrigues of the party of Murray and the party of Mary become much entangled. On June 3 Randolph told Cecil that a convention of the nobles was summoned to meet at Perth on June 10. The purpose was "to allow the marriage with the Lord Darnley." It was also understood that the next Parliament would

"establish a law for religion." Mary had never recognised the illegal Reforming Parliament of August 1560, but had promised not to interfere with the religion she found established. A new Parliament was to deal with the whole subject. The Protestants dreaded a system of toleration, and already began to organise resistance. Mary's party were also enrolling their friends, partly Northern and Catholic lords—Atholl, Caithness, Erroll, Montrose, with Fleming, Cassilis, Montgomery (Eglintoun), Home, Lindsay, "who shamefully hath left the Earl of Murray," Ruthven, and Lord Robert Stuart. It will be observed that private and family feuds and affections now made a cross division. It was not a question of old faith and new faith alone; and Protestants like Lindsay and Ruthven were siding with Lennox against Châtelherault, Murray, and Argyll. After announcing these facts, Randolph ends his letter of June 3 with the news that the Perth Convention of June 10 is put off in fear of a hostile Protestant gathering.[65]

To this Mary appears to refer, later, in a letter to de Foix, dated November 8, an account of recent events. She says that Murray in April promised to secure her marriage if he was recognised as chief Minister, and if Mary would utterly banish the Catholic faith. He then went to Edinburgh for Bothwell's day of law (May 2), and there arranged with his adherents to seize Darnley and Lennox in the Convention at Perth and send them into England. Mary, therefore, by Lethington's advice, postponed the Convention.[66] Now it was, she adds, that Murray spread the story that Darnley and Lennox intended to kill him.

By June 4 the English Council advised that Lennox and Darnley should be recalled and Lady Lennox shut up. On June 8 Elizabeth informed Randolph that she would assist the Protestants and friends of England.[67] On June 12 Randolph reported the despatch of Hay, Commendator of Balmerinoch, a Protestant and a friend of Murray, from Mary to Elizabeth.[68] On June 27 Elizabeth informed Mary that Balmerinoch's message was unsatisfactory. Meanwhile Randolph had vainly presented Elizabeth's letters of recall to Lennox and Darnley. They determined to brave her anger; and Randolph said that Darnley, it is to be feared, "can have no long life among this people." Thus he wrote on July 2, after the postponed Convention had been held at Perth. He dates the Perth Convention on June 22. Murray and Châtelherault stayed at home, Argyll and Glencairn went to the hostile General Assembly in Edinburgh on June

24. Murray's excuse for non-appearance at Perth on June 22 was that his assassination was plotted. Grant, a retainer of Murray, had beaten Stuart, captain of Mary's guard. It was arranged that Stuart should attack Grant, and that Murray should be killed in the scuffle.[69] Murray had diarrhœa, says Knox's continuator, and that was why he stayed away, at Lochleven.[70] Buchanan, omitting the Convention, says that Murray was invited to Perth, where the queen had only a small train. He was to be involved in a dispute with Darnley, and Riccio was to stab him.[71] Mary being at Perth, the General Assembly, as we saw, was meeting at Edinburgh. Randolph had received Elizabeth's letter of June 8, in which she promised to assist the Protestants. He communicated the happy news to the Protestant leaders, and the Assembly sent six demands to Mary at Perth. The queen herself must abandon her "blasphemous mass," and Protestantism must be ratified by queen and Parliament. The other articles refer to the stipends of the preachers, education, the use of the property of the religious for the support of the poor and schools, the punishment of adulterers, Sabbath-breakers, witches, and murderers, and the release of farmers from tithes.[72] Mary did not at once reply: if Cecil's indorsement of her answers—July 29—is correct, she waited a month. Her answer was that, "as she did not constrain the conscience of her subjects, she begged that they will not press her to offend her conscience." The establishment of religion must be deferred till Parliament meets. The other replies were dilatory and evasive.[73]

On July 1 Argyll and Murray, from Lochleven, informed Randolph that they had met to decide on something of importance, and told him its nature, verbally, by the bearer of their note.[74] On July 2, in his letter already cited, Randolph informed Cecil that "some that already have heard of Lady Lennox's imprisonment like very well thereof, and wish both father and son" (Lennox and Darnley) "to keep her company. The question hath been asked me, Whether if they were delivered unto us at Berwick, we would receive them? I answered that we would not refuse our own, in what sort soever they came unto us." Clearly Argyll and Murray on July 1 had conspired to seize Darnley and Lennox.[75] So Tytler not unnaturally infers; but Dr Hay Fleming argues, from internal evidence, that Randolph's letter of July 2 was mainly written before the end of June. Consequently, the proposal to seize Darnley cannot have been made by Argyll and Murray on July 1. Again, it was pre-

cisely on July 1 that Mary made a rapid ride, in armed company, from Perth to Callendar House, because of a rumour that Argyll and Murray meant to seize her and carry her to St Andrews, Darnley to Castle Campbell, near Dollar. So writes Randolph on July 4.[76] In fact, from Randolph's letter of July 4, it seems that when the queen passed Murray's house at Lochleven, during her hasty ride of July 1, Murray lay ill, and Argyll came there from Castle Campbell to dine with the queen and protest his loyalty. He missed Mary, who had ridden on, but dined with Murray, and the pair wrote their letter of July 1 to Randolph. That letter cannot, then, have implied the design to seize Mary and Darnley on their way, for they were out of danger when it was written, and were with Lord Livingstone at Callendar House. But Mary must have heard of some such design to seize Darnley and Lennox as that hinted of by Randolph in his letter dated July 2, but, according to Dr Hay Fleming, mainly written in June. Mary herself accused Murray, as she said she could prove by his gentlemen, of intending her capture and the murder of Lennox and Darnley as she went from Perth to Edinburgh.[77] The story was generally current, and was called The Raid of Baith.[78] We can only conclude that, if any one did aim at an attack, it was not of this affair that Argyll and Murray deliberated at Lochleven on July 1.

Mary kept nervously issuing reassuring proclamations. It was slanderously said that she meant to interfere with religion. After her marriage with Darnley she reissued these proclamations. Religion was to remain as she had found it, pending the meeting of a Parliament which was constantly deferred by the growing troubles. A safe-conduct for Murray, that he might make declaration about the alleged conspiracy against his life at Perth, was issued on July 4.[79] A Protestant panic there was. During the General Assembly in the last week of June the godly Brethren held an open-air meeting near Salisbury Crags, and elected eight men to organise armed resistance.[80] Now, on July 10 a messenger was sent by Mary to summon these eight captains before the Justice on July 26. Knox's continuator declares that Mary bade the Provost apprehend four of them, and laid an embargo on their houses when they were not taken. Randolph (July 4) says that her command makes the people of Edinburgh fear that the town will be sacked! All this because of the intended arrest of four men engaged in organising an armed force. Amidst these alarms Argyll and Murray,

by July 4, were intriguing with Randolph for aid from Elizabeth. They asked for £3000.[81] Elizabeth's reply (July 10) was but vaguely encouraging, and could not well inspire confidence. Mary on July 13 tried to soothe the godly. She appointed a Parliament for September 1, and (July 15) issued a proclamation that her lieges should not be disturbed for their religion; but she summoned all the loyal to attend her, armed, in a fortnight.[82] "Armour," she said in a circular, "was being taken on already," by the disloyal. The reasons appear in two letters of Randolph's of July 16, to Elizabeth and to Cecil.[83] To Elizabeth he reported that Mary had secretly married Darnley on July 9. To Cecil he said that Mary had told him she was free and could marry where she would. She refused to conciliate Elizabeth by "making merchandise of her religion." Lethington was still with her; few others of her old advisers. The Protestants had chosen July 15 for two meetings, one at Perth, one at Glasgow; on the 15th Mary had forbidden these meetings. They would assemble elsewhere. Argyll was invading Atholl's lands. Mary, for this reason, summoned her loyal subjects, as we saw, and wrote to Bothwell, asking him to return. He was needed at last. While preparing for war, Mary tried to win Murray over to peace. On the 19th Randolph wrote that she had gathered her forces. Well she might! The trial of the four ringleaders of Edinburgh was for the 26th. Already, on the 18th, the hostile lords had met at Stirling and appealed for aid to Cecil and Elizabeth.[84] But Mary had, in search of peace, sent Balmerinoch to Murray, assuring him of the goodwill of Darnley and Lennox. They never planned his murder: Lennox would meet any accuser in single combat. On July 17 this mission of Balmerinoch was decided on. Murray and Argyll had falsely said that Murray's death had been planned by Darnley "in the back-gallery of her highness's lodging in Perth." Murray and Argyll must give up their informant or be deemed guilty of a treasonable lie. On July 19 Balmerinoch returned, and reported that Murray would come in if he got a safe-conduct. Mary and the Privy Council, we know, had guaranteed his safety. But Murray, finding his proposal accepted, declined to abide by it, declined to appear. On July 28 another chance was offered to him. Mary heard that he really wished to clear his character, and offered safe-conduct for him and eighty of his friends. Come he would not, and he was outlawed on August 6, and proclaimed a rebel.[85] But already, on July 29, Mary, clad in deep

mourning, had been wedded to Darnley, now Duke of Albany, and proclaimed as king. Against this marriage her brother, Murray, was an open and avowed rebel. And why was he a rebel? For love of the Trew Kirk and the Protestant cause? A year ago (July 13, 1564) Murray had written to Cecil that the Kirk was in no danger from Lennox, "seeing we have the favour of our prince, and liberty of our conscience in such abundance as heart can wish."[86] Liberty of conscience he still enjoyed, and, if he had lost Mary's favour, his own conduct was to blame.

NOTES TO CHAPTER VI.

[1] Calendar, i. 666-670.
[2] Knox, ii. 334.
[3] Spanish Calendar, Eliz., i. 314.
[4] Cal. Ven., vii. 356.
[5] Teulet, iii. 5.
[6] Knox, ii. 369.
[7] Froude, vii. 48.
[8] See all the evidence in Hay Fleming, pp. 312-315, and Pollen, Negotiations, pp. 164-167.
[9] Randolph to Cecil, February 28, Calendar, i. 685.
[10] August 20, Calendar, ii. 19, 20. Spanish Calendar, Eliz., i. 332-334, 345, 347.
[11] Cf. Knox, vi. 540.
[12] Calendar, ii. 7.
[13] Randolph to Cecil, February 28, Calendar, i. 685; ii. 11. Knox, ii. 373.
[14] Laing, Knox, ii. 374, note 2.
[15] Act. Parl. Scot., ii. 534-545; Knox, in the Parliament, ii. 381, 385.
[16] Calendar, i. 693. Elizabeth to Mary in favour of Lennox, Calendar, ii. 14.
[17] Calendar, ii. 19.
[18] Murray to Cecil, September 23, Calendar, ii. 22.
[19] Calendar, ii. 24, 25.
[20] Knox, ii. 391.
[21] October 8, Knox, ii. 395-397.
[22] Hume Brown, ii. 198.
[23] Knox, ii. 394.
[24] Some have supposed a certain Mary Hamilton, hanged for infanticide at the Court of Peter the Great, to be the heroine of the ballad; but, for many reasons, this appears impossible.
[25] Calendar, ii. 113, 125; Knox, ii. 415.
[26] Calendar, ii. 133.
[27] Laing, in Knox, ii. 415, note 3.
[28] December 31, Randolph to Cecil, Calendar, ii. 33.
[29] Randolph to Cecil, February 21, 1564, Calendar, ii. 43.
[30] Knox to Cecil, October 6, 1563.
[31] Calendar, ii. 61.
[32] Hay Fleming, p. 96.
[33] Calendar, ii. 67, July 13.
[34] Calendar, ii. 61, 62.
[35] Froude, vii. 211; Tytler, vi. 299, 350 (edition 1837); For. Cal. Eliz., vii. 210; Calendar, ii. 76. Mr Froude adds, "Endorsed in Cecil's hand. 'The Queen's Majesty's writing, being sick. September 23.'" The actual indorsement is, "23rd September 1564. At St James. The Q. wrytyng *to me*, being sick. Scotland."
[36] October 7, Calendar, ii. 80-82, Instructions.

[37] Randolph to Cecil, October 6, 1564, Calendar, ii. 84.
[38] Randolph to Cecil, October 24, 1564, Calendar, ii. 85.
[39] Randolph to Cecil, February 12, 1565, Calendar, ii. 95, 124, 125.
[40] Calendar, ii. 125.
[41] Froude, vii. 235-237. [42] See authorities in Hay Fleming, pp. 337, 338.
[43] Calendar, ii. 118-120. [44] Calendar, ii. 128.
[45] Keith, iii. 330. A set of notes in Cecil's hand.
[46] For. Cal. Eliz., vii. 316, March 17, 1565. [47] Keith, ii. 268-275.
[48] Calendar, ii. 133. [49] Knox, ii. 422.
[50] Bedford to Cecil, April 18, For. Cal. Eliz., vii. 338.
[51] Teulet, ii. 35, 36.
[52] Labanoff, vii. 67. See Pollen, "Negotiations," pp. lxxiv, lxxv.
[53] For. Cal. Eliz., vii. 349, 350. [54] For. Cal. Eliz., vii. 346.
[55] Froude, vii. 247.
[56] M. Philippson says that May 24 is a misreading for March 24, but, writing himself on March 24, Bedford could not say "day" is given him to come by the 24th March (Philippson, ii. 333).
[57] Hay Fleming, p. 359. Dr Hay Fleming says that Bothwell was put to the horn, citing Pitcairn's "Criminal Trials," i. 462*. But Knox's continuator and Randolph (May 3, 1565, Cal. For. Eliz., vii. 351) declare that Mary prevented the horning (Knox, ii. 479).
[58] For. Cal. Eliz., vii. 306, 312, 314, 319, 320, 327, 340, 341, 347, 351.
[59] For. Cal. Eliz., vii. 351. [60] For. Cal. Eliz., vii. 357, 358.
[61] For. Cal. Eliz., vii. 369. [62] For. Cal. Eliz., vii. 366.
[63] For. Cal. Eliz., vii. 366-372; Calendar, ii. 152-168.
[64] For. Cal. Eliz., vii. 464. [65] Calendar, ii. 172-174.
[66] Labanoff, i. 300-302. [67] Calendar, ii. 175.
[68] Calendar, ii. 175-177. [69] Keith, ii. 300, Randolph's letter of July 2.
[70] Knox, ii. 484. [71] Buchanan, fol. 208.
[72] Knox, ii. 485, 486; Calendar, ii. 178, 179.
[73] For. Cal. Eliz., vii. 414. [74] Stevenson, Illustrations, p. 118.
[75] Keith, ii. 307. [76] Keith, ii. 309.
[77] Labanoff, i. 304, 305. [78] See Hay Fleming, pp. 354-356.
[79] Privy Council Register, i. 341, 342. [80] Knox, ii. 487.
[81] Keith, ii. 317, 318. [82] Keith, ii. 326, 327.
[83] Calendar, ii. 181; Stevenson, p. 118. [84] For. Cal. Eliz., vii. 408.
[85] Register of Privy Council, i. 349, 350. [86] For. Cal. Eliz., vii. 176.

CHAPTER VII.

THE TWO MURDERS.

1565–1567.

THE dances and delights of the marriage being ended, Mary had to face Elizabeth's new envoy, Tamworth, and to secure support against her rebel lords, now in Argyll. She strengthened herself by restoring, in some degree, Huntly's son, Lord George, to Huntly's estate and government in the North. She also recalled Bothwell, who did not arrive till September 17, bringing with him, as shall be seen, the beginnings of a feud with Lennox and Darnley. Just before Murray's forfeiture Tamworth arrived in Edinburgh: on August 11 he reports that "I must send to Berwick for the money I left there, and deliver it to those here appointed by Murray to receive it."[1] As Elizabeth later denied that she had aided Mary's rebels, it is well to prove her mendacity out of her envoy's own mouth. Tamworth communicated Elizabeth's remonstrances, partly as to Mary's personal treatment of herself, partly against a change in religion. She declared that she had heard of a plot to murder Murray, and bade Mary not to summon him "before his mortal enemies."[2] Mary replied with spirit.[3] She thought no prince would "desire reckoning or account" of her marriage. If Elizabeth behaved uncousinly, she had other friends and allies,—other broken reeds, her foreign kindred. She had never meddled with English affairs, and begged Elizabeth not to meddle with hers. As to religion, she had made no innovation, nor meant to make any, save by advice of her subjects. (Note that if her good subjects, in Parliament, advised alteration, in a Catholic direction, Mary might accept their counsel.) Murray, she said, was her subject, and she warned Elizabeth not to interfere. She herself had not interfered when Lady Lennox was imprisoned. Promises followed. During Elizabeth's life, and that of her issue, Mary and

Darnley would attempt nothing prejudicial to their title; or intrigue with English subjects, or receive English rebels, or confederate with any foreign prince against England. Any fair alliance with England they would accept. If they ever succeeded to the English Crown, they would not alter the religion. All these promises, however, were conditional. Elizabeth must recognise Mary, and failing her and her issue, Lady Lennox and her issue, as her heirs, failing issue of Elizabeth's. Elizabeth must not deal with Scottish subjects, or abet Scottish rebels, or ally herself with foreign Powers against Scotland. Further details are left to commissioners.[4] Poor Tamworth, refusing to accept a safe-conduct signed by Darnley as "king," was arrested on the Border at Hume Castle.

Mary was now probably her own adviser. James Balfour,—later Sir James, Knox's fellow-oarsman in the galleys,—with Riccio, is spoken of as most potent in her councils, and later, he was one of the basest of her betrayers. But probably she trusted to her own high heart. She daunted Elizabeth, and after Knox had preached at very enormous length against her in presence of Darnley, she suspended, or tried to suspend, him from preaching for three weeks[5] (August 19). She reissued the proclamation against change in religion till Parliament should meet, and she summoned her forces for various dates. She warned Randolph that she knew his dealings with her rebels. On August 26 she went to Linlithgow, and began her hunt of Murray and his accomplices. She would rather lose her crown, she told Randolph, than not be avenged on Murray. This he ascribed to private grudge, and perhaps may hint that Murray was aware that she was Riccio's mistress. Randolph wrote thus on August 27. He had long dwelt on her infatuation for Darnley. Mary was but a bride of a month; was she, in Randolph's opinion, already perhaps an adulteress? Bedford made the same insinuation as early as September 19.[6] On October 16, 1565, de Foix reports from London that he asked Elizabeth why Mary hated Murray,—as if his ingratitude and open rebellion were not cause enough! Elizabeth, after a pause, answered that it was because Mary had learned "that Murray had wanted to hang an Italian named David whom she loved and favoured, giving him more credit and authority than were consistent with her interest and honour."[7] The fair subject of these slanders was meanwhile driving her rebels up and down the country.

When Mary reached Glasgow, Murray retired on Paisley, and thence to Hamilton. Here a fight was expected, and it is curious

to note Mr Froude's account of the affair. "Mary carried pistols in hand, and pistols at her saddle-bow." Now Randolph mentions a rumour of this kind, but adds, "I take it for a tale." "Her one peculiar hope was to encounter and destroy her brother," says Mr Froude, apparently holding that Mary carried her apocryphal pistols for this fratricidal purpose. "A fight was looked for at Hamilton, where" (as Mr Froude quotes Randolph's letter of September 4) "a hundred gentlemen of *her* party determined to set on *Murray* in the battle, and either slay him or tarry behind lifeless."[8] Randolph said nothing of this kind: he said the very reverse. The passage is thus given in the 'Calendar of State Papers':[9] "A c. gentlemen are determined to set upon hym in the battayle self whear soever the Queenes howsband be, and ether to slaye hym" (Darnley, Mr Bain adds in a note) "or tarrie behynde lyveles amongeste them." "Other devices there are for this" (that is, for slaying Darnley), "as hard to be executed as the other. If this continue, they" (the rebels) "trust not a little in the queen's majesty's support"—that is, in the support of Elizabeth. Mary has so much to answer for that historians need not attribute to her party the homicidal designs of her opponents. Murray's men were sworn to kill Darnley, not Mary's men to kill Murray.

There was no fight at Hamilton or elsewhere. On the night of August 30 Murray, Châtelherault, Glencairn, Rothes, Boyd, and the rest rode into Edinburgh. Erskine (now Earl of Mar) fired on them from the castle. The Brethren would not join them, even for pay. "The Calvinist shopkeepers who could be so brave against a miserable priest had no stomach for a fight with armed men," says Mr Froude. The Lords kept asking Bedford to send them English musketeers: none were sent. On September 2 they fled before dawn, only escaping Mary by favour of a tempest which changed burns into rivers and delayed her march. "And albeit the most part waxed weary, yet the queen's courage increased manlike, so much that she was ever with the foremost," says Knox or his continuator. The Lords retired on Dumfries, where they lay for three weeks, while Mary raised forced loans, and took in hand the godly towns of Dundee and St Andrews, while securing Glasgow from Argyll. Her main need was money, and on September 10 she sent Yaxley, an English retainer of Darnley's, to solicit help from the King of Spain.[10] She announced that she would maintain "the liberty of the Church," and that she wished to resist the estab-

lishment of Protestant errors, a point to which we shall return. Yaxley was drowned on his return voyage: his Spanish money never reached Mary.

On September 2 the rebel lords, from Dumfries, sent Robert Melville to England, asking for 3000 men, money, and ammunition.[11] Elizabeth had granted £3000, as if a gift from Bedford, and denied the fact to de Foix, who threatened that France would help Mary, if Elizabeth aided Mary's rebels.[12] Meanwhile in Mary's camp all was not well. On September 29 de Foix reports that Lethington is not listened to; James Balfour, John Lesley, and Robert Carnegie are trusted. Bothwell's arrival was certain to cause divisions. Lethington and Morton were probably intriguing with the rebels: Lethington and Bothwell were old enemies. Only a strain of Douglas blood in their kin kept Lindsay, Ruthven, and Morton nominally loyal to Darnley, a Douglas on the spindle side. By October 2 Cockburn could tell Cecil that Mary and Darnley were at strife, Darnley wanting Lennox to be in command on the Border, while Mary preferred Bothwell, "therefore she makes him lieutenant of the Marches."[13] Mauvissière, an envoy from France, could not induce Mary to treat with the Lords at Dumfries. Mr Froude quotes a letter of Bedford to Cecil of October 5. "She said she would hear of no peace till she had Murray's or Châtelherault's head."[14] This appears in the Calendar as "*there is talk* of peace with that queen" (Mary) "but that she will first have the head of the Duke or of Murray." On October 8 Mary left Edinburgh for Dumfries, with "the whole force of the North," under Huntly, now provisionally, till Parliament met, restored to his father's lands and dignities. He blamed Murray for the recent ruin of his father. The Lords did not await Mary's advance. They had crossed the Border to Carlisle on October 6, and we can scarcely agree with Mr Froude that Mary, "following them in hot pursuit, glared across the frontier at her escaping prey, half tempted to follow them, and annihilate the petty guard of the English commander."[15] On October 14 Mary was still at Dumfries.[16] On the same day, from Carlisle, Murray wrote to Cecil, explaining his real motives for rebelling. "Neither they nor I enterprised this action (without foresight of our sovereign's indignation) save that we were moved thereto by the queen, your sovereign."[17] (Mr Froude prints "*with* foresight" in place of

"*without.*") The Lords went to Newcastle. On October 17 Bedford announced that Murray was probably going to London. On October 20 Elizabeth bade Bedford stop Murray, at Ware; on October 21 he received commands not to approach Elizabeth. However, Elizabeth altered her plan and allowed him to advance, for her new purposes.

She wished to prove that she had never intrigued with Mary's rebels. She played a little comedy. First, says Mr Froude, following de Silva, the Spanish Ambassador, she received Murray secretly at night, and, with Cecil, instructed him in his part, to be acted next day. Of this rehearsal the official report, drawn up on October 23, for distribution in the Courts of France and Spain, says nothing. Murray, says the official record, was brought into the presence of Elizabeth, her Council, Mauvissière, and de Foix, the French Ambassador. He knelt, and explained that he wished to beg Elizabeth to intercede for himself and his friends with Mary. Elizabeth replied that it was strange for a man in his case to approach her. What could he reply to the charges of refusing to obey Mary's summons, and of levying a force against her? He must answer "on the faith of a gentleman." Now Murray, nine days earlier, as we saw, had told Cecil that he never would have stirred but for Elizabeth's impelling him. However, now he said that he disobeyed Mary's summons to meet her at Court because he learned, on his way, that his life was in peril, and that he then gave her this reason. He explained that Mary asked him who gave him warning, and that he declined to give up his informant, at least till six months were gone. So he was put to the horn, and wandered about, a fugitive, with Argyll, Châtelherault, and Glencairn, reaching Dumfries "with not much above eighty horse." He had chosen "so to flee rather than to be a party against his sovereign." How untrue all this was we have seen. He utterly denied that he had ever been privy to any scheme for seizing Mary. His one purpose was to defend true religion, peace, and amity with England. Elizabeth "very roundly" told him before the ambassador that not for the world would she aid any rebel against his sovereign. Her conscience would in that case condemn, and God would punish her. So she broke off the interview.

Such is the gist of the official report.[18] If the official report is correct, Elizabeth lied boldly and Murray held his peace,

to deceive the French spectators. Dr Hay Fleming writes, "Sinfully silent Murray seems to have been under Elizabeth's denunciation."[19] Mr Froude remarks that Murray "was evidently no consenting party to the deception." Yet it is Mr Froude who tells us that "Elizabeth had exercised a wise caution in preparing Murray for this preposterous harangue," her first speech. Did she instruct him in one scene of the comedy and not in another? Besides, "Elizabeth had doubtless made it a condition of her further friendship that he should say nothing by which she could be herself incriminated." If Murray admitted that condition, of course, and undeniably, he was (though Mr Froude denies it) "a consenting party to the deception." That Mary, a beautiful unhappy woman, should enchant historians, and lead them into fairyland, is intelligible. But by what spell does a rigid male Scottish Puritan carry grave writers captive? Mr Froude says that Sir James Melville "describes Elizabeth as extorting from Murray an acknowledgment that she had not encouraged the rebellion, and as then bidding him depart from her presence as an unworthy traitor. Sir James does but follow an official report which was drawn up under Elizabeth's eye and sanction." As a matter of fact, the official report is destitute of what Mr Froude says that it contains. After declaring that God would punish her if she aided rebels, she "so brake off hir speche any farder with hym."[20] Knox, or his continuator, tells us that after the two French envoys had departed, Murray said to Elizabeth, "We know assuredly that we had lately faithful promises of aid and support by your ambassador and familiar servants in your name, and further we have your own handwriting confirming the said promises."[21] Perhaps Murray told Knox that he thus allowed Elizabeth to lie in public, and then rebuked her in private. His was not a noble part; but then there is no reason for believing the story. We cannot ascertain the precise degree of the stainless Murray's degradation. However, at the lowest reckoning, it was dark and deep. "Sinfully silent" he was, even if, as Dr Hay Fleming supposes, he may have been staggered by Elizabeth's "shameful audacity." That he could not be, however, if de Silva truly reports that Elizabeth had rehearsed the piece with him on the previous night. Mr Froude, accepting the anecdote, can yet believe that Murray "was not a consenting party to the deception." Perhaps admirers of Murray will do well to hold

that Elizabeth did secretly train him to the comedy. We can better excuse Murray for

> "sinning on such heights with one,
> The Flower of all the West and all the world,"

Gloriana herself. Best palliation of all, Murray must have known that no mortal was deceived by the transparent farce.

Though Argyll remained in his own country as safe as an independent prince, and wasted the lands of Lennox and Atholl, Murray and his brother-exiles were now discredited. Mary was in the position of her father, James V., when he expelled Angus and the Douglases. But Captain Cockburn, an envoy from Cecil, and a historically minded man, warned Mary of her danger by this very example. James had taken little, Cockburn said, by his expulsion of the Douglases.[22]

Presently the ghost of the ancient Douglas feud was to arise against Mary. In short, since Bruce forfeited the Anglophile lords, entailing thirty years of war on his country, such measures as Mary took with Murray and his allies had never prospered in Scotland. The great Scottish Houses, however divided among themselves, were allied by ties of blood, and had one common interest, that of rebelling with relative impunity. On that point they were sure to cling together, as Mary was to learn. She had meanwhile terrified Elizabeth, who offered to send commissioners to treat, but presently recovered heart, and made Randolph declare that he had misunderstood her letter. That letter was demanded, but Randolph would not give it up. Elizabeth still took the view that Darnley was no king, but her rebellious subject. Mary's own party was disunited. Lethington, who had always been with Mary, though less listened to at this time than Riccio and Sir James Balfour, was known or suspected to have intrigued with Murray. In November he was trying to recover favour.[23] Morton also, the son of the perfidious Sir George Douglas, might hold the Great Seal, but his loyalty was dubious.[24] Meanwhile, in December and early spring, Darnley was often absent for long periods, hawking, hunting, "drinking, and driving ower," as James VI. said of himself. Knox's continuator says that Mary let Riccio use a stamp bearing Darnley's signature, alleging that "the king" was often absent "at his pastime," as in fact he was.[25]

Darnley's behaviour was the more inconsiderate as in November

it became obvious that Mary was with child, though Randolph doubted the fact as long as possible, indeed till April. There were jars as to the precedence of Darnley's name or Mary's in public documents. Knox's continuator, and Buchanan, having just complained that Darnley received a kingly title, now grumble that his name was omitted, or that Mary's had precedence.[26] Bishop Keith remarks that Mary signed her name first in order less than a month after her marriage. In royal charters, the Bishop says, "I can certify my readers that the queen's name is never so much as once set before the king's."[27] "The *king* and queen's majesties," "Our sovereign *lord* and lady," also appear in the Privy Council Register. But on December 22, 1565, our soveran queen is named before our king in a statute for coining a penny of silver called the Mary Ryall, a coin whereon "Maria" precedes "Henricus."[28] All this vexed Darnley's royal ambitions. On Christmas Day, 1565, Randolph reports on this weighty matter, and suspects *amantium iræ*, lovers' quarrels. Did he really think Riccio "the happiest of the three"?[29] In December Châtelherault, who had submitted, was exiled to France for five years. This limited forgiveness was resented by Lennox and Darnley, deadly foes of the Hamiltons.[30] Murray was asking Mary to pardon him, asking Elizabeth to intercede for him. His kinsman, Douglas of Lochleven, offered Riccio £5000 (Scots) for his influence, and was refused.[31] Murray generously begged Randolph not to incur suspicion for his sake, and though he professed himself the servant of Elizabeth, he certainly clung staunchly to his exiled allies—so mixed is the character of this enigmatic earl. The important question was, What should be decided in the Parliament, which was to have met in February 1566, but was now postponed to early March? The banished lords were summoned to hear their own forfeiture pronounced in this Parliament. No less than total ruin to them, the chief noble friends of the Kirk, was implied. But as to religion, what would be decided? Mary had always referred a definite ecclesiastical settlement to a Parliament which had never sat. Now that Parliament seemed to be at hand — though it was never to meet.

Mary is accused of great duplicity in this matter of religion. What had she promised, for example, recently, on July 12, 1565? Merely that her subjects should not be "molested in the *quiet* using of their religion"; "in the using of their religion and conscience

freely" (July 20).[32] On September 10, it is true, she asked Philip of Spain for aid against "the entire ruin of the Catholics, and the establishment of these wretched errors," and for "the perpetual liberty of the Church."[33] Mary had told both Protestant and Catholic, had told Knox and had told the Pope, that she would defend the Catholic Church. "Ye are not the Kirk that I will nureiss. I will defend the Kirk of Rome, for I think it is the trew Kirk of God," said Mary to Knox.[34] There is no duplicity in that declaration. It may be detected, if at all, in Mary's proclamation at Dundee on September 15. On September 10 she had told the King of Spain that she foresaw the ".danger of the establishment of wretched errors, for which the king and I, as we desire to resist them, shall be in danger of losing our crown, and our claim of right elsewhere" (in England), "if we have not the aid of one of the great princes of Christianity." On September 15, in the Dundee proclamation, Mary denies that she intends "the subversion of the state of religion which their majesties found publicly and universally standing at their arrival in this realm."[35] Their majesties have "a sincere meaning toward the establishing of religion" "Their good subjects [may] assure themselves to be in full surety thereof in time coming." All laws of every kind "prejudicial to the same" are to be abolished in Parliament. But "the same" seems to mean the *not* "pressing of any person in the free use of their conscience, or attempting anything against the same [Protestant] religion." Finally, after Riccio's murder in March 1566, and after Parliament had been dispersed, Mary told Beaton, her ambassador in France, that in electing the Lords of the Articles (March 7) the Spiritual Estate was represented, "in the ancient manner, tending to have done some good anent restoring the auld religion."[36] Lesley says that a measure was to be proposed to "allow the bishops and rectors the full exercise of their ancient religion."[37]

Now, taking all this together, we may, perhaps, venture to conceive that Mary always intended to secure, if she could, the *parliamentary* sanction of "freedom of conscience" and the "liberty" of her own Church. It does not seem by any means to follow that she intended to persecute or molest Protestants. On Christmas Day, 1565, Randolph wrote, "It is said liberty of conscience shall be granted at this Parliament."[38] If we believe that to permit one religion is to molest the devotees of another; if the right to persecute was an established Protestant

privilege; if Mary ever promised to ratify *that* privilege as soon as she could get a Parliament together; — then her duplicity is undeniable. But it is otherwise if she aimed at Parliamentary sanction for freedom of conscience and concurrent endowment. Perhaps that is the defence which she would have made of her own behaviour. If, on the other hand, Mary joined the Catholic League, as Randolph averred to Cecil (February 7, 1566), the defence is valueless. "This band . . . is subscribed by this queen," he says. But the nuncio, on March 16, 1567, tells the Pope that Mary missed her chance by refusing to accept certain advice when it was offered to her; "*ella non ha voluto mai intendere.*"[39] Dr Hay Fleming observes, "It is impossible, however, to say what Mary might have done" in certain circumstances which did not occur.[40] Mr Froude unhesitatingly accepts Randolph's affirmation, though Bedford, a week later, says that Mary has not yet "confirmed" the band.[41] Mr Froude sums up the matter thus: "Mary determined to make an effort to induce the Estates to re-establish Catholicism as the religion of Scotland, leaving the Protestants for the present with liberty of conscience, but with small prospect of retaining long a privilege which, when in power, they had refused to their opponents."[42] Whatever were her exact intentions, if she declined to join a league, and aimed at a constitutional security for freedom of conscience, her duplicity, as politicians go, can scarcely be deemed exorbitant. She was merely like Burke, as described by Fox, "right, too early." But it is true that to prevent Protestants of Knox's kind from persecuting Catholics was, in fact, to deprive them of "freedom of conscience," as they understood that expression. As to the Catholic League which Mary is said to have joined, Father Pollen asserts that there was no such league to join.[43] What really happened was extraordinary enough. In February 1566 Mary sent the Bishop of Dunblane to Rome to ask for a subsidy. The Pope, pitying the estate of Mary after the Riccio conspiracy, promised money, which was to be brought by a nuncio. The nuncio never did bring it, for he made it a condition that Mary should first execute Murray, Argyll, Morton, Lethington, Bellenden, and Makgill! Mary declined to decapitate her Cabinet, and, till the hour of Darnley's death (February 10, 1567), Mary's Catholic friends were pressing on her the destruction of her Ministers, while her Protestant Ministers were arranging the murder of her husband. Such, in brief, is the result

of Father Pollen's recent researches ("Papal Negotiations with Queen Mary"), though perhaps "discourting," not death, would have sufficed.

In February 1566 matters hurried to their extraordinary conclusion. Darnley, early in the month, was observed to be unusually devout as a Catholic; Maitland of Lethington as a Protestant. Bothwell was "the stoutest but worst thought of" champion of the Kirk. But on February 4 Rambouillet arrived from France to invest Darnley with the Order of St Michael. A heraldic question arose, Was Darnley (who had not yet received the crown matrimonial) to use the arms of Scotland? "The queen bade give him only his due."[44] This chagrin must have been inflicted between February 4 and February 10. Now "about February 10 the king" (Darnley) "sent his dear friend and cousin George Douglas, son" (bastard) "to his uncle, Archibald Douglas, Earl of Angus, and declared unto Lord Ruthven how that David" (Riccio) "abused the king in many sorts, and staid the queen's majesty from giving him the crown matrimonial of Scotland, . . . besides many other wrongs, which the king could not bear longer." So writes Ruthven himself.[45]

What followed was a Douglas treason, Ruthven's first wife being a Douglas, sister of George Douglas, Darnley's messenger of murder. Morton, another ringleader, was a Douglas also. The plot did not spring merely from Darnley's jealousy of Riccio. Before George Douglas carried Darnley's words to Ruthven, Randolph (February 5) had written that "the wisest were aiming at putting all in hazard" to restore Murray and the exiles.[46] The day before Darnley tried to enlist Ruthven, Lethington wrote to Cecil, "Mary! I see no certain way unless we chop at the very root: you know where it lieth."[47] The root to be chopped at was the life of Riccio at least, if not of the queen.

Many currents met to swell the stream of the conspiracy. There was Darnley's personal jealousy of Riccio. There was the hatred of the nobles for a favourite, low-born and an alien. There was the desire of all the kindred and friends of Murray and Ochiltree to bring them home. There was the trepidation of the godly, ever nervous about the Kirk. On January 10, 1566, the new Pope, Pius V., had written to Mary. He understood (he was always marvellously ill-informed) that Mary had restored the ancient faith "throughout your whole realm." Nothing could be more remote from the truth. However, a French envoy, Clerneau, was in Edinburgh (January 27).

On January 30 Mary and Darnley appointed the Bishop of Dunblane their "orator" at Rome. Whatever leaked out of all this inflamed the Protestants. The Bishop of Dunblane's real object was to extract money for Mary's religious purposes from the Pope. But only a portion of the money ever reached Mary's hands, in August or September 1566. She did not spend the coin on advancing the Catholic cause. But that she was dealing with the Pope would be known, her adherence to an alleged Catholic league was asserted, and so she had concentrated on her head the jealousy of Darnley; of the neglected Lethington; of Morton, who feared to be deprived of the seals; of all the kindred of Murray and Ochiltree; of Lennox, who, in disgrace, lived apart in Glasgow, and longed to see his son, Darnley, king indeed; and, above all, Mary had alarmed the Kirk and the Brethren. To defend her she had only Bothwell and Huntly; and she was marrying Huntly's sister, Lady Jane, to Bothwell. The young lady was in love with Ogilvy of Boyne, but she had to yield to the Border lord, who, after marriage, won her heart.[48]

Here, then, began the conspiracy to murder Riccio, and the reason of Darnley's wrath is obvious. The wretched creature added to his grievances about his shadow of royalty the incredible statement that Mary was Riccio's mistress, a charge which is not to be accepted on the word of the angry boy, who had another cause of offence. Ruthven declares that, when consulted (February 10), he held aloof till about February 20, distrusting Darnley. None the less, on February 13 Randolph wrote to Leicester thus: The queen, he said, hates Darnley and all his kin. Darnley knows that she is an adulteress. Riccio is to be slain within ten days. Things are intended against Mary's own person.[49] Darnley now began to screw his courage to the sticking-point by hard drinking. He took to whisky, *aqua composita*, intoxicated the young Frenchmen who came with Rambouillet, was drunk and insolent to Mary at a dinner in a burgess's house, and disgraced himself in an orgie at Inchkeith, at least if we believe the tattle of Drury.[50] It was with this devout and drunken "king" that the discontented Lords now allied themselves "to fortify and maintain" the Protestant religion. Ruthven and George Douglas drew up bands. On one side they were to be signed by Murray, Argyll, Glencairn, Rothes, Boyd, Ochiltree (father-in-law of Knox), and "other complices." Darnley signed for himself. The Lords were to take his part in all

quarrels "*with whomsoever it be*" ("lawful and just quarrels" in some copies), including the queen (?), and they were to maintain Protestantism, and Darnley's crown matrimonial, and succession, thus excluding the Hamiltons, the legal heirs. Darnley was to secure them from the consequences "*of whatsoever crime*," and restore the banished Lords, Murray and the rest. Murder is not mentioned, but is included in "whatsoever crime."[51]

Meanwhile Darnley told Ruthven that he would slay Riccio himself, even in the queen's chamber, if the deed was not hasted. Ruthven thought this indecent, but named a day for Riccio's death, "though he would have him rather to be judged by the nobility." Mary and Darnley went to Seton (apparently on March 1 and 2; Randolph says February 28),[52] whence Darnley sent letters urging Ruthven to action. In this interval Ruthven brought Morton (related to Darnley) and Lindsay (whose wife was a Douglas), with others, into the plot. In addition to the leaders —Morton, the Ruthvens, father and son, Lindsay, and the bastard George Douglas—were enrolled Andrew Ker of Faldonside; Douglas of Whittingham, worthy brother of the infamous Archibald Douglas who took part in Riccio's as in Darnley's murder; Cockburn of Ormistoun, Bothwell's old enemy; Douglas of Lochleven; Sandilands of Calder; Patrick Bellenden, brother to Sir John Bellenden; Johnston of Westraw; James Makgill, later so notorious; Alexander Ruthven, of a house later mixed up in the Gowrie conspiracy of 1600; several retainers of Lethington; but the majority were Douglases.[53] They were "to have their religion established" "conform to Christ's Book," says Ruthven. "Conform to Christ's Book"! The plot is the re-arisen corpse of the old inveterate Douglas treasons.

If we are to believe the analysis of a despatch (dated March 20) from de Foix, in London, to Catherine de' Medici,[54] Darnley had found Mary's door locked, and been admitted, and discovered Riccio in his shirt in her closet. Possibly this fable was told by Darnley in his cups.

So the plot stood in the first days of March. Meanwhile Randolph had been dismissed by Mary on the charge of aiding Murray with 3000 crowns, and he joined Bedford at Berwick. He had already (February 25) announced Bothwell's marriage to a sister of Huntly, and had reported to Cecil the bands between Darnley and the nobles.[55] On March 6 Bedford and Randolph wrote to Cecil.

Darnley, they said, was determined to be present at the slaying of Riccio, insisting on his adultery with Mary. Besides the nobles mentioned already, Murray, said Randolph, was privy to the plots, as were Lethington, Kirkcaldy of Grange, Randolph, and Bedford.[56] On March 8 Bedford and Randolph reported that Murray would arrive in Berwick on the 9th, and reach Edinburgh on Sunday. "But that which is intended shall be executed before his coming there." The stainless Murray had provided his *alibi* as usual. On March 11 Bedford reported the death of Riccio.[57]

In the interval between March 6 and the murder, Mary, as we saw, had arranged to reintroduce to Parliament members of the Spiritual Estate, and (according to Ruthven's narrative) had herself named the Lords of the Articles. Nothing, if this were true, could be more unconstitutional. But, if we believe Ruthven, her nominees had not consented to the attainder of Murray and of his allies. Mr Froude avers that Mary "carried her point," and cites Knox, but Knox's continuator does not exactly say so. He says "they were still seeking proof, for there was no other way but that the queen would have them" (Murray and his friends) "all attainted, albeit the time was very short; the 12th of March should have been the day, which was the Tuesday following."[58]

There are many accounts of the murder of Riccio.[59] In the evening of March 9, about eight o'clock, Morton was to enter the chief room of Mary's suite by the great stair and gallery of Holyrood. Darnley and Anthony Standen, with Ruthven, George Douglas, and another (Morton later made George Bishop of Moray), invaded the queen's boudoir by way of the privy staircase from Darnley's own room. Mary, Lady Argyll, and Riccio were supping in the tiny boudoir: Arthur Erskine was in attendance, with her brother, Lord Robert. Darnley entered and put his arm round Mary's waist. Behind him came the white face of the hated sorcerer lord, the baleful mask of the dying Ruthven. Ruthven bade Riccio go forth, and, by his own tale, gave a long account of the man's offences. Darnley, says Mary, then denied that he knew anything of this enterprise. Apparently his cue was to have entered by accident, while Ruthven had seized the chance to follow him. Riccio sheltered himself behind Mary, "leaning back over the window." Ruthven admits that he himself now drew his dagger, to resist Arthur Erskine, Keith, and others. The crowd of Morton and his accomplices now burst in from the outer chamber; the table was upset, Lady Argyll

seized a candle as it fell; Ruthven thrust Mary into Darnley's arms, saying that no harm was intended to her. But Mary declares that Riccio was stabbed at over her shoulder, and that pistols were pointed at herself. All agree that Riccio was hurled forth of her boudoir, and, though Ruthven says he bade the men take him to Darnley's room, he was dragged to the outer chamber, and "slain at the queen's fore-door in the other chamber." Either the thirst of blood, or some movement below in the court by Huntly, Bothwell, Atholl, Fleming, and Livingstone, caused the murderers to give Riccio short shrift.

Mary says that Bothwell and the rest were also aimed at, and that Sir James Balfour was to be hanged. Probably she learned this later from Darnley, who may have lied. Ruthven, when Riccio had been hurled forth, returned to Mary's room, where Darnley was, or met the pair in Mary's great chamber. A dispute arose. Darnley, says Ruthven, accused Mary of too great familiarity with Riccio since September: now Mary became pregnant in November: Darnley was thus destroying his son's legitimacy. Bedford, Lennox, and Randolph make him date the sin since November, or since the last *two* months. According to Ruthven, Mary cried, "I shall never like well till I make you have as sorrowful a heart as I have at this present." Ruthven fell into a chair and cried for wine, being sick: Mary turned and menaced him: he said that Darnley was the cause, "which he confessed to be true." Outside, there was a tumult in the yard, Bothwell and his friends were at sword-strokes with the murderers. They were brought to Bothwell's rooms, where Ruthven told them all; thence he went to Atholl's rooms, while Mary and Darnley wrangled alone. She charged Darnley with having impeded Murray's return, which is probable enough, especially if Murray (as is said) had bribed Riccio with a diamond. Then the town tocsin tolled to arms, and the citizens marched by torchlight on the palace. Thereon in her chamber threats of "cutting her to collops," she says, were uttered. Darnley bade the burgesses disperse, all was well. Mary and Ruthven disputed over an enchanted ring which he had given to her, and over her nomination of the Lords of the Articles. How Darnley and Mary passed the night is differently narrated: Bedford and Randolph have a tale based on a misunderstanding of Ruthven, and not worthy of notice. Atholl withdrew to his fastnesses. Bothwell and Huntly had escaped by a window. Darnley now dismissed the Parliament: it is Ruthven who says

that his dagger was found in Riccio's side. So passed this night of horror.

That Mary did not die, considering her condition, may have been a disappointment to the assassins. In an age when palace floors often ran with blood, no ghastlier or more needlessly cruel deed was wrought under pretence of religion. Mary is said, in many versions, to have threatened revenge. Doubtless she meditated revenge in her heart. But first she must escape. On the morning after the murder she got leave to have her ladies with her. Ruthven and Morton foresaw the result: she wrote and passed her letters through to Argyll, Huntly, Bothwell, Atholl, and others. After dinner she feared, or affected to fear, a miscarriage. In the evening the banished Lords arrived, and Mary had a not unfriendly interview with Murray.[60] Next day Mary persuaded Darnley that she was in a mood for general amnesties. Darnley had come to calling Mary "a true princess, and he would set his life for what she promised." Articles were drawn up, which Mary was to subscribe. The Lords were induced, reluctantly, to remove their men from the palace. On Tuesday morning they woke to find that the bird had flown: Mary had extracted from Darnley all that he knew, had cajoled him, and had escaped with him, by a secret way, among the royal tombs. Lennox avers, in an unpublished MS., that, pausing at Riccio's new-made grave, Mary promised Darnley that "a fatter than he should lie as low ere the year was out." At a place near the ruined Abbey of Holyrood Arthur Erskine, Standen, an English squire, Traquair, and another were waiting with horses. Shortly they were within Dunbar, after a wild ride through the night, and were safe. In a few days Mary had pardoned and gained over Glencairn and Rothes: Ruthven and Morton sped to Berwick, Bothwell and Huntly had joined her in force, the country was summoned to meet her in arms, Murray was forgiven (his accomplices bidding him act without regard to them), the godly were filled with terror and amazement, and Knox fled into Ayrshire. It is not worth while to discuss his knowledge of the conspiracy: the evidence to that effect is valueless. Darnley declared his own entire innocence. In Bothwell Mary saw her preserver.

Presently, early in April or late in March, Randolph reports that Mary has seen Darnley's bands with the Lords.[61] Darnley was thus at deadly feud both with the nobles whom he had

betrayed and with the wife whom his insults had outraged. His doom was sealed. Meantime the wretched lad was reaping the contempt of mankind. He had denounced certain men, whose guilt was known to him alone, and one of them was hanged on April 2.[62] Lethington, who had certainly been in the plot, had fled to Atholl at Dunkeld.[63] "All that belonged to Lethington is given to Bothwell."[64] The lords murderers were put to the horn on March 30, which they regarded as highly unconstitutional. The queen was reconciling all feuds, and chiefly (ill omen for Darnley) that between Murray and Bothwell. Randolph believed that Mary was sending to Rome to sue for a divorce (April 4). Worse still for Darnley, Joseph Riccio, David's brother, with an Italian vendetta in his heart, became Mary's private secretary. Some strange secret there was between them as to diamonds of the queen's: a romance which hangs thereon allures and evades the most curious research. On April 26 the Privy Council accepted sureties for poor, mad, forgotten Arran, the friend of Knox, the wooer of two queens, the accuser of Bothwell. He was to dwell in Hamilton, not passing beyond a four-mile radius.[65] He was suffering from aphasia, and had to write what he could not speak.[66] On May 6 Darnley wrote, in French, to Charles IX. He denied the rumour accusing him of Riccio's murder, "lequel j'aborre tant."[67] Vain falsehood! Darnley was detested, and rumour said that he would fly to Flanders. On May 16 Morton, at Alnwick, reported the death of Ruthven, "so godly that all men that saw it did rejoice."[68] The piety of these men is more admirable than their crimes. Ruthven may have been very godly. He only did what Knox calls "a just act and most worthy of all praise." There is nothing to show that Knox foreknew the deed; but, far from reckoning it discreditable to the Reformed Church, Knox deemed it "most worthy of all praise."[69]

As Mary's hour was approaching, she and Darnley, so Randolph heard (June 7), were reconciled. She made her will, and left, said her accusers later, nothing to her husband. The will is not known to exist, but an inventory of her personal jewels was discovered in 1854. Many bequests are therein made to Darnley, including her wedding-ring.[70] The contempt into which Darnley had fallen, the hatred which pursued him, were infinite. If he had an ally for a week, it was Bothwell. "Murray and Argyll," wrote Randolph,

have "such misliking of their king as never was more of man" (May 13).[71] Claude Nau, Mary's secretary, inspired by her, says that Huntly and Bothwell urged Darnley to ruin Murray, and Lethington, who was unpardoned and in hiding. Morton, in a letter from his English exile, corroborates Nau. Bothwell and Darnley were trying to bring home the murderer, George Douglas, to implicate Murray in the outrage of Holyrood. "The queen likes nothing their desire," adds Morton.[72] We must observe that though Bothwell, who had organised a guard of musketeers for the queen, was now high in favour, Mary was working in unison with Murray. She protected him from Bothwell and Darnley; despite Bothwell's fury she restored Lethington (Murray siding with her) to favour; she would not let Bothwell lodge in the castle while she lay in child-bed, but admitted Murray, Mar, Atholl, and Argyll.[73] Though the jealous complained of Bothwell's favour with the queen, history proves that at this period she invariably took Murray's side when Murray and Bothwell differed in opinion.

Not in the blood-stained chambers of Holyrood, but in Scotland's securest place, within the walls of the Castle of the Maiden, did Mary give birth to her son. Sir James Melville had been waiting, with horses saddled. On Wednesday, June 19, he was told the news by Mary Beaton (herself now a bride), and he galloped out of the gates to London. On Sunday he carried in the tidings: Cecil told Elizabeth, and she moaned that "the Queen of Scotland was lighter of a fair son, while she was but a barren stock." But Elizabeth (June 13) had wished Mary "brief pain and happy hour" in accents that, for once, seem to ring true. Elizabeth's heir was born at last, though scarce acknowledged till her awful hour of haunted death. By June 24 an envoy of Elizabeth's, Killigrew, reported on affairs in Edinburgh. Matters and men were "uncertain and disquieted." Bothwell was in one of his Liddesdale holds, not liking the junction of Mar, Murray, Atholl, and Argyll. Lethington had been bound for Flanders, but retired to Argyll, as Bothwell, the High Admiral, had vessels watching for him on the seas. Sir James Balfour was being superseded by Lesley, Bishop of Ross, the historian.[74]

About June 25 the General Assembly met: it was the usual date, and they complained of unpaid stipends.[75] Poor Paul Methven (who, we know, had an ancient woman to wife, and preferred a younger lady) was bidden to appear, bareheaded, barefooted, and in

sackcloth, and stand a penitent at St Giles', also at Jedburgh and Dundee. Paul persevered, though reluctantly, in penance at St Giles' and at Jedburgh, but at Dundee he could endure it no longer and returned to England. Bothwell ceased to go to sermon; Cassilis turned Presbyterian; and Murray and Killigrew desired Cecil's and Leicester's presence, "which would do much good to religion." The good that Leicester could do religion is inconspicuous. It was desired that he should attend the royal child's baptism, but that ceremony was long deferred.

Mary, early in August, wished to reconcile Murray, Bothwell, and Lethington, and hoped to do so at Stirling on the 24th. In the last days of July she had gone to Alloa, where Buchanan reports licentious frolics and harshness to Darnley. Mary may have gone secretly to Alloa to escape Darnley's company: she fared by water up the Forth, Buchanan says, with Bothwell and his "pirates." She resided, Nau tells us, with the Earl of Mar, and the Mars were always relatively reputable, for Scottish nobles of the age. Lennox avers that Mary disported herself at Stirling "in most uncomely manner, arrayed in homely sort, dancing about the market-place of the town." Probably there was some folks-festival (there is one still at Queensferry, men going about arrayed in flowers) at that date.[76] We know that the queen held a meeting of the Privy Council at Alloa (July 28). The lawless feuds of the age were denounced. Darnley and Mary declared that they were about to make progresses through the realm, beginning with the Borders. The lieges were ordered to meet their highnesses, in arms, and with provisions for fifteen days, at Peebles on August 13, and go on to Jedburgh, for the settling of the Border. The Elliots proposed to skulk on the English side during this raid of justice. All this was arranged at Alloa on July 28; but the thing was postponed, and Mary went not to Jedburgh, and then to her sorrow, till October 8 or 9.[77]

On August 3 Bedford reports that Mary and Darnley are separate at bed and board, and that she concealed her movements from him, and spoke of him in terms not to be repeated. Anonymous "Informations out of Scotland" (August 15) declare that Darnley had threatened to kill Murray, and that Mary had reported the words to her brother,[78] and informed him about a small instalment received from the Pope's subsidy. Darnley had been hunting with Mary in Meggatdale; the sport was bad; he was brutally insolent, and with-

drew from her company: in no company was he welcome. Meanwhile (September 5) Lethington dined at Stirling with Mary: his peace seemed to be made. Murray and Mary welcomed him back; Bothwell fretted, but was unheeded. Lennox she had not seen since the death of Riccio.[79] By September 20 Lethington could tell Cecil that Mary, in company with Murray, had made up the feud between himself and Bothwell.[80]

Part of Mary's business in Edinburgh at this time was to understand Exchequer affairs. Buchanan avers, in his 'Detection,' that in the Exchequer House Mary intrigued so scandalously with Bothwell, a newly married man, that the tale reads like a story from Boccaccio. The date is given as September 24 in the list of events called "Cecil's Journal."[81] Buchanan not only owed certain favours to Mary, and not only (it is possible) regarded these favours as unworthy rewards of his poetical begging-letters, but he was also a Lennox man, a Darnleyite, by birth. He had thus several reasons for making out the worst case against Mary, and has rather harmed his case by overstating it. Whatever else occurred on September 24, the Privy Council then summoned loyal lieges of the Border to meet Mary and Darnley at Jedburgh on October 8.[82]

While Buchanan recounts the amorous misdeeds of Mary at this time, a different complexion is given to matters by Mary's Privy Council. Writing to Catherine de' Medici on October 8, speaking of "ten or twelve days ago,"—that is, September 26 to 28,—they say that Mary then came to Edinburgh on public business by their desire. She wanted to bring Darnley; but he preferred to stay at Stirling, where Lennox, his father, visited him. Lennox next wrote to Mary, warning her that, despite his persuasions, Darnley had a ship ready, and meant to leave the country by Michaelmas (September 29). Mary informed the Council, who denounced Darnley's graceless behaviour. Mary, behaving most graciously, tried to win Darnley from his moods, and passed the night with him, but found early next day that he was leaving for Stirling. The Council and du Croc met Darnley in Mary's chamber, and blamed him for his ingratitude to his wife and queen. Neither the lords nor Mary, *si sage et vertueuse*, were conscious of any offence. Mary entreated him to explain the cause of his anger, but nothing could be wrung out of Darnley. Later he wrote to Mary, complaining that he had not his due honours, and was shunned by the lords. Mary replied that

she had caused jealousy by honouring him even too much, and that while the murderers of Riccio had entered her room *soulz son adieu* (as if he had been taking leave of her when they burst in), yet she had never been willing to believe in his guilt. As for the nobles, if he would not be amiable he could not be loved; much less obeyed, to which the nobles would not assent.[83] We do not know what nobles signed the letter of the Privy Council, but the Privy Council was clearly siding with the queen. It is quite certain that at this very date (October 1566) all the lords, and Murray, signed a band against Darnley. Murray himself admits that he signed a band early in October, and from other sources we know that the band bound the nobles to protect Mary against Darnley. Him they never would obey, as they also wrote to Catherine de' Medici. The band (which Morton signed in his English exile) said nothing of murdering Darnley. He was merely to be put on one side as a thing without authority.[84] Deserted, hated, shunned, conscious of a formal league against him, Darnley "had a mind to go beyond sea in a sort of desperation."[85] Mary went to Jedburgh, arriving probably on October 9: she was bent on the expedition for justice on the Borders, already arranged. Darnley loitered near Edinburgh, taking du Croc into the confidence of his chagrin and wounded pride.[86] There seems to be truth in Knox's continuator's tale that Darnley wrote to the Pope, the King of Spain, and the King of France, complaining that Mary neglected the Catholic cause.[87] Mary knew this, and was the more annoyed, as she was trying to induce the Pope's nuncio, Laureo, to bring over the long-delayed papal subsidy, many thousands of crowns of gold. But Darnley, anxious to be a king indeed, thought to gain his desire by winning over Mary's Catholic allies.

There was now, and was to be, slight question of restoring Catholicism, or of striving for freedom of conscience. The day of Mary's policy, so long prepared, so astutely and vigorously followed, was over: the day of passion had begun. "Had begun," we infer it from Mary's later conduct, for the scandalous tales of her debauchery, told by Buchanan, are of doubtful authority. One thing is certain: Bothwell was no stupid Border ruffian merely, but a man of courtly accomplishments and of letters. Two of his books, French treatises and translations on history and military matters, remain to attest at once his love of reading and his

taste in bookbinding. Familiar with the Court and the wits of France, he wrote French well, in the new Roman hand—elegant, firm, and clear. At Carberry, later, du Croc admired in him "a great captain," who could gaily quote an appropriate classical anecdote. He was young, handsome, reckless; he had been loyal in Mary's utmost need, and he had the Byronic charm of a reputation for mysterious guilt. Such a wooer needed no magic spells.

From this point history becomes a mere criminal trial, wrangled over by prejudice, and confused by dubious evidence. From the contemporary Buchanan and Blackwood, to Froude and Skelton, Schiern and Bresslau, the topic of Mary's guilt has been debated by acute advocates rather than by historians. Authors like Buchanan have prejudiced their own case against Mary by palpable inaccuracies and exaggerations. The evidence is partly derived from confessions of men condemned, in that age of judicial torture especially suspicious. Much of it comes from partisan statements: much from the disputed "Casket letters," attributed to Mary. But while documents are disputable, and while the counsel against Mary damage their own cause by their handling of papers, the whole series of events begins to be conclusive against Mary's innocence. On almost every individual fact a fight may be made by the advocates of the queen. Each single damning event may be plausibly contested or explained away. But the whole sway and stream of occurrences moves steadily in favour of but one conclusion,—that Mary was at the very least conscious of, and was to the highest degree of probability an active agent in, her husband's murder. It is necessary, though tedious, to follow dates with as much precision as possible. The paper called "Cecil's Journal," or "Murray's Diary," a document of unknown authorship, possibly Buchanan's, was a statement (far from accurate) of the case for the prosecution. It gives the wounding of Bothwell by a Border reiver on October 7. On October 8 "the queen was advertised," and hasted from Jedburgh, and from thence to the Hermitage, and contracted her sickness.[88] Against this date of Mary's journey on the 8th we have a letter of hers to the Pope, dated Edinburgh, October 9.[89] The 'Diurnal' makes Mary leave Edinburgh on October 7, to hold the court of justice "which was proclaimed to be held at Jedburgh on the eighth day" of the same month.[90]

On the other hand, the headlong Buchanan, in his 'Detection,'

makes Mary speed from Borthwick to Hermitage as soon as she heard of Bothwell's wound. This is given up by all writers. Mary was at Jedburgh for about a week before (on October 15, says the 'Diurnal') she rode to Hermitage to see her wounded officer. There was no frenzied haste: the journey, however, was long, difficult, and dangerous. Buchanan makes Mary ride to Hermitage with ruffians. If so, Murray was one of them.[91] Mary's health had never been sound: she now fell into a dangerous illness on October 17. On the 23rd the Council — Huntly (Chancellor), Murray, Atholl, and Lethington — reported to Archbishop Beaton; on the 24th du Croc wrote to the same diplomatist, "The King" (Darnley) "is at Glasgow, and has not come here. It is certain he has been told of the facts, and has had time to come if he chose: I cannot excuse him."[92] But, according to the 'Diurnal,' Darnley hastened to Jedburgh as soon as he heard the bad news, arrived on October 28, "was not so well entertained as he ought to have been," and returned on October 29 to Edinburgh, and so to Stirling.[93] Meanwhile Bothwell had been carried to Jedburgh, to recover from his wounds. On the 25th he was able to attend a Privy Council. Buchanan speaks here of his "guilty intercourse" with Mary, a thing not very plausible in their circumstances.[94]

About November 10 Mary, having recovered, made a progress by Kelso, Hume Castle, Berwick, and Dunbar, reaching Craigmillar Castle, near Edinburgh, about November 24. Darnley visited her somewhere about the 25th, but du Croc regarded reconciliation as impossible, "unless God effectually put to his hand." Darnley would not humble himself: Mary could not see him speak to any lord without jealousy.[95] Mary was often heard to wish for death.

Now occurs the evidence of a document constantly cited as "The Protestation of Huntly and Argyll." It is not contemporary with the events, nor is it signed. Says Dr Hay Fleming, "It was drawn up by Lord Boyd's advice, 'conforme to the Declaratioun' Huntly had made to Bishop Lesley, and was sent by Mary from Bolton on January 5, 1568-69, to Huntly, with a letter directing him and Argyll to subscribe; but leaving it to their discretion 'to eik and pair' (add or subtract) 'as they thought most necessary, before returning it to her signed and sealed.' The paper was intercepted by Cecil, and never reached Huntly and Argyll."[96]

An unsigned document, to be altered at pleasure by the subscribers, who never had a chance to subscribe, is poor evidence. It avers that Murray and Lethington, at Craigmillar, aroused Argyll from bed. They pointed out that Murray ought in honour to secure the return of Morton. The best plan of winning Mary's assent would be to find a mode of divorce between her and Darnley. Argyll saw no way to it; Lethington promised to discover a means if Murray and Huntly would merely look on "and not be offended thereat." Huntly was brought, he and Argyll were promised full restoration to lands and offices, all four men added Bothwell to their number, and visited the queen. To her they promised "to make divorce" without her intervention. Mary said she would consent to a lawful divorce, if not prejudicial to her son's legitimacy. Bothwell consoled her on that head, but Mary suggested that she should retire to France. Lethington then, in ambiguous terms, said that a way would be found, "and albeit that my Lord of Murray be little less scrupulous for a Protestant than your Grace is for a Papist, I am assured he will look through his fingers thereto, and will behold our doings, saying nothing to the same." Mary answered, "I will that ye do nothing whereby any spot may be laid to my honour and conscience, and therefore I pray you rather let the matter be as it is, abiding till God of his goodness put remedy thereto; lest ye, believing to do me service, may possibly turn to my hurt and displeasure." Lethington answered, "Let us guide the matter amongst us, and your Grace shall see nothing but good, and approved by Parliament."

Much criticism has been bestowed, to no purpose, on these statements.[97] They are corroborated by a real manifesto of Mary's party, signed by Huntly and Argyll, in September 1568. Mary, some think, consented to let matters pass, or did not refuse. Murray did not deny that some things were debated at Craigmillar: he denied that in his presence anything unlawful or dishonourable was mooted, or that he had any knowledge (which is not asserted in the Protestation) of signing any band.[98] Murray doubtless referred here, not to the Protestation, but to what later was confessed by Ormiston (not one of the Protestant Ormistoun House in Lothian), that Huntly, Argyll, Lethington, and Sir James Balfour did sign a band for slaying Darnley. Hay of Talla said he had seen the band, subscribed also by Bothwell and other lords, and approved by Mary, and Bothwell told him (falsely, it would seem)

that Morton signed.[99] Confessions are not much to be trusted, but nobody accused Murray of signing, nor does it appear why he denied what was nowhere alleged. As to the whole affair, Buchanan avers that Mary urged the nobles to procure a divorce through annulling the papal dispensation (which, as Father Pollen shows, probably arrived *after* she married Darnley); but when she saw that the thing would not pass, "many of the nobles being present," she meditated murder. By both versions the divorce was discussed: the Protestation may contain an unknown element of truth. "Of the truth of the main features there is no room for doubt," says Mr Froude. Mr Froude's statement, from Calderwood, that Mary vowed "she would put hand to it herself," outruns Buchanan even. Calderwood's tale is that she "would put hand *into* herself," commit suicide.[100] It is a pity that the prosecution manages its case so badly.

The Craigmillar conference, as heretofore reported, leaves matters as Maitland put them. He would find out a way, not illegal, of getting rid of Darnley. The Lennox MSS. tell us, vaguely, and without naming any authority, what that way was. Darnley was to be arrested, there were plenty of grounds for an arrest, and killed if he resisted. Lennox heard of this, he does not say how, and warned Darnley, who left Stirling, after the baptism of his child, and joined his father at Glasgow. Lennox wavers about the facts, which are differently stated in three different indictments of Mary, composed or corrected by him. Meanwhile two rumours flew about. According to the first, reported by one Walker, Darnley was plotting to seize the infant prince and govern in his name. According to the other, circulated by Hiegait, town clerk of Glasgow, Darnley was to be arrested. Mary called the gossips before the Council: she could find no consistency in their stories, and from a letter by Walker, now at Hatfield, we know that she had him committed to Edinburgh Castle.

The reports added to Mary's distresses at Stirling during the feast for the baptism of James. Darnley sulked: Mary and he quarrelled, and Lennox says that, when Darnley flushed, the queen told him that he would benefit by being "a little daggered, and by bleeding as much as my Lord Bothwell had lately done." The French envoy, du Croc, refused to meet Darnley: we do not hear that the English Ambassador made any advances. The child prince was baptised, with Catholic rites, on December 17; a week later

Morton and all the exiles for the cause of Riccio's death were pardoned. The English Ambassador, Bedford, interceded for them, as did the French Ambassador, Murray, and Bothwell. The approaching return of Morton and the others whom he had betrayed probably caused Darnley to withdraw, as we have seen he did, to his father's castle at Glasgow. There he fell ill, but Lennox in none of his papers hints that Darnley had been poisoned. That allegation is made by Buchanan. The disease was probably smallpox, as Bedford avers; it had broken out at Glasgow.[101] Bedford, from Berwick (January 9, 1567), reports that Mary sent to Darnley her own physicians: Buchanan says that she "would not suffer a physician to come at him."

From one point of view, Mary now took a most suspicious step. On December 23 she restored Archbishop Hamilton to his consistorial jurisdiction: this, of course, that he might divorce Bothwell from his bride. But Knox and the General Assembly protested, and in his letter of January 9, just cited, Bedford writes that, at Murray's request, Mary revoked her decree. Mary had been staying at country houses: with Bothwell, and for the worst purposes, say her accusers. About January 14, Mary, returning from her country-house visits, took her child to Holyrood. Thence, as she had done earlier, she wrote, offering to visit Darnley. According to Lennox, in his MS. Indictments of Mary, he sent an insulting verbal reply, "I wish Stirling to be Jedburgh, and Glasgow to be the Hermitage, and I the Earl Bothwell as I lie here, and then I doubt not but that she would be quickly with me undesired." From the mention of Stirling, where Mary was on January 2-13, her offer of a visit must have been made thence soon after the beginning of Darnley's illness; and he must have later repented of his rudeness and asked for a visit from the queen. On January 20, 1567, Mary wrote to Archbishop Beaton about the affair of Walker and Hiegait. She had heard, as we saw, from Walker, a servant of the Archbishop's, that Hiegait, another of the Archbishop's retainers, was telling about a plot of Darnley's to seize and crown little James, and exercise government. This was probably the plot about which the Spanish Ambassador in London warned Beaton, and he the queen. Hiegait denied all this: what he had heard was that Darnley should be laid in prison. *His* authority was the Laird of Minto, who told Lennox, who told Darnley. As for Darnley, Mary declared that her subjects con-

demned his behaviour; and she would leave nothing evil for his spies to observe in her conduct.[102]

Thus nothing, up to January 20, indicated that Mary had forgiven Darnley, who had anew been rude about her proposed visit from Stirling. On the 20th of January, according to two contemporary Diaries,[103] Mary left Edinburgh for Glasgow. She stayed, in Bothwell's company, at Lord Livingstone's house, and, according to Drury, reached Glasgow on January 22. The paper called "Cecil's Journal," put in by her accusers, makes her arrive on the 23rd. Neither date is consistent with the possible authenticity of the second of the guilty Casket letters, alleged to have been written by Mary, and establishing her crime. But she may have reached Glasgow on January 21. What occurred at Glasgow? The evidence rests (1) on the disputed Casket letters; (2) on dying confessions, and depositions under torture; (3) on a disputed deposition of Crawford, a retainer of Darnley. None of these is very good evidence, and Crawford's deposition agrees with the Casket letter No. 2 only too suspiciously well. (See Appendix A., "Casket Letters.")

On the other hand, if we discredit all these sources, Mary's conduct after Darnley's death remains an insoluble enigma. If she had a passion, or a passionate caprice, for Bothwell (as the debated evidence declares), all is clear and consistent in her behaviour. If these sources of evidence are absolutely baseless, we can only suggest that she had an interval of extreme feebleness of purpose. Briefly, the letters which she is alleged to have written to Bothwell, the Casket letters, represent her as cajoling Darnley, discussing with him such matters as Hiegait's story, already spoken of, and bringing him with her, as she did, to a small and decaying religious dwelling hard by Edinburgh wall, the Kirk-o'-Field. The place was well known to Bothwell—it belonged to an adherent of his; and in the adjacent house of the Hamiltons he had met Knox, and been reconciled to Arran. This unsafe and unwholesome dwelling, with doors absent or insecure, would not have been chosen for a king's residence except for one purpose. There must have been better sanatoria for a smallpox patient. Mary was often with Darnley in the following days; sometimes she passed the night in the room beneath his, and she is said to have played music and sung in the warm precincts of the garden in the genial darkness of a Scottish February. Darnley at this time wrote a happy and reassuring letter to Lennox, inserted in the Lennox MSS.

But he had grounds of anxiety; for Lennox, at least, declares that he received a warning from Mary's brother, Lord Robert, that he imparted this to Mary, and that Mary tried to bring on a quarrel between her brother and her husband. As Murray was present, she cannot have intended them to fight, as is averred. Early on the morning of Sunday, February 9, Murray received news that his wife was ill in Fifeshire: he went to comfort her, and, as usual, secured his *alibi*. Mary supped with the Bishop of Argyll, going on to Darnley's. Bothwell, with two Ormistons; Powrie, his porter; George Dalgleish, his valet; young Hay of Talla; and Hepburn of Bowton, carried powder in two travelling-trunks, on a horse's back, within the grounds of Darnley's house. While Mary was with Darnley on the first floor, they moved the powder into her room on the ground-floor, by way of a door giving on the garden (as the confessions of the accomplices indicate), or stored it in a mine under the house, according to another theory of the accusers. Bothwell and his servant Paris, now in Mary's employment, then went up to Darnley's room, when the queen rose, was reminded that she had promised to grace the wedding-masque of her servant, Bastian, at Holyrood, and returned thither on horseback, men with torches walking before her. The conspirators saw the lights, and Bothwell went back to the palace. They had left Talla and Bowton, they say, locked up with the powder in Mary's room. Bothwell changed his rich evening dress, and returned to his accomplices at Kirk-o'-Field. Darnley, who was not without apprehensions, had sung the fifth psalm and gone to bed: a page named Taylor slept in his room.

What followed is wrapt in mystery. Long afterwards the dying evidence of Morton averred that Archibald Douglas was on the scene. Binning, a servant of Archibald, added that two brothers of Lethington, and representatives of Sir James Balfour, were there. That this was arranged between the conspirators is corroborated by evidence of Hepburn of Bowton, which exists in MS., but was suppressed by the accusers of Mary, among whom were Lethington and Morton.[104] (The discovery of this fact is due to Father Ryan, S.J.) It is certain that about 2 A.M. of February 10 Darnley's house was blown up. His body and that of Taylor were found, almost uninjured and not touched by fire, Darnley's fur-lined velvet dressing-gown unscathed, in an ad-

jacent garden. The contemporary opinion unanimously averred that Darnley had been strangled or choked, with his servant, and that their bodies were carried into the garden. A large commemorative picture, painted for Lennox, represents the assassins seizing Darnley in bed. If this was done, the accomplices of Bothwell denied all knowledge of it; and though Archbishop Hamilton is accused (by Buchanan) of sending ruffians to do the deed, we have no evidence on the point. Mary's accusers altered their versions, and their charges, just as in each case seemed most convenient.[105]

"Over the events of that night," says Mr Froude, "a horrible mist still hangs, unpenetrated and impenetrable for ever." This is, indeed, true; but Mr Froude's detailed narrative of the events about which so little is known must remain a classical passage in English literature. This great writer has felt himself justified in constructing a story out of the disputable and sometimes self-contradictory confessions of the underlings executed for the murder, and out of the Casket letters, the epistles which her accusers declare that Mary wrote to Bothwell. These sources of information are untrustworthy. Many of the "pursuers" of Bothwell were themselves deep in the plot: others, their allies, if personally guiltless, were acquainted with their partners' guilt. Thus the confessions of Bothwell's minor accomplices were garbled, to conceal the crime of Lethington, Sir James Balfour, and the Douglases, till the party of the accusers broke up, when evidence was at once produced, or manufactured, against the deserters. The chief points of doubt are, whether Darnley was killed by the explosion, or strangled and removed into the garden before the explosion occurred. If the latter theory be correct (and it is that of the author of the 'Diurnal,' writing at the moment, as well as of Drury, and Moretta, the Ambassador of Savoy, and all contemporaries), then two gangs were engaged: Bothwell's party, which blew up the house; and another party, probably under Morton's cousin, Archibald Douglas, brother of Douglas of Whittingham. But this element of the inquiry was burked by the allied lords under Murray.

Secondly, Was the gunpowder placed in Mary's bedroom, under that of Darnley, or "under the ground, and corner-stones, and within the vaults," as the indictment against Morton runs? This is the story given also by Buchanan in his 'Detection.'[106] In this latter case the guilt of Mary is not so apparent as if the

powder was placed in her bedroom, according to the confession of Paris and other culprits. An interminable historical quarrel rages around these questions. The curious point is that Buchanan speaks of a mine, yet gives two confessions which allege that the powder lay in Mary's bedroom. The authenticity of the various confessions has been disputed. We may feel certain that they were not forged in the mass; on the other hand, omissions were certainly made, and torture was certainly applied. The discrepancies in statement are numerous; but they are defended on the ground that statements without discrepancies would be a proof of correctness introduced by collusion.

As an example of the methods employed: the English edition of Buchanan's 'Detection' contains certain dying confessions made on January 3, 1568. But we do not find in these what the 'Diurnal' records—namely, Hay of Talla's confession, "in presence of the whole people," that Bothwell, Huntly, Argyll, Lethington, Sir James Balfour, and others made a band for Darnley's death, "to which the queen's grace consented": a remark made, doubtless, on the strength of oral information, true or false, from Bothwell.[107] The second confession of Paris (1569), obviously under torture or fear of torture, contains assertions about his open discussion of the deed with Mary which border on the incredible. While the depositions and confessions attest the strewing of the powder in Mary's bedroom, every account of the effects of the explosion makes it seem more probable that the powder was really laid in the vaults on which old Scottish houses are usually built. Hepburn of Bowton's confession that Bothwell, till within a day or two of the murder, meant to slay Darnley "in the fields," harmonises ill with the passages in which Paris makes Bothwell examine the entrances of the house, and provide fourteen false keys, a fortnight before the explosion. Where the evidence is so perplexed and veiled, certainty is impossible.[108] On the author's mind the impression that Darnley and his page were strangled, not blown for many yards through the air, is decidedly the stronger. The account of Nau, Mary's secretary, published by Father Stevenson, is seldom cited here: it is what Mary wished to be believed. But Nau's statement that Mary, seeing Paris after he had been at work with the powder, exclaimed, "Jesu! Paris, how begrimed you are," has a natural ring about it; and, unluckily, if Paris was begrimed, then Mary ought to have inferred that his master, Bothwell, was the murderer.

NOTES TO CHAPTER VII.

[1] Calendar, ii. 190. [2] Calendar, ii. 185-187.
[3] Keith, iii. 228-232. [4] Keith, *ut supra*; Calendar, ii. 191-193.
[5] Knox, ii. 497, 498. [6] For. Cal. Eliz., 1565, 464.
[7] Teulet, ii. 93. Compare Hay Fleming, pp. 380, 381.
[8] Froude, vii. 318, 319. The italics are my own.
[9] Calendar, ii. 202. [10] Teulet, ii. 53, 54.
[11] Calendar, ii. 207. [12] Teulet, ii. 74. [13] Calendar, ii. 217.
[14] Froude, vii. 335; For. Cal. Eliz., vii. 480. [15] Froude, vii. 338.
[16] Bedford to Cecil, For. Cal. Eliz., 1565, 491. [17] Calendar, ii. 224.
[18] Calendar, ii. 227, 228. [19] Hay Fleming, p. 368.
[20] Calendar, ii. 228; Froude, vii. 348, 349; Melville, 135, 136 (1827). It appears that Mr Froude read "she" in place of "he" in the official report. Calendar, ii. 228, line 25, "whyther *he* were ever privee," *et seq.*
[21] Knox, ii. 513. [22] Calendar, ii. 217, Cockburn to Cecil, October 2.
[23] Calendar, November 8, ii. 235. [24] Calendar, ii. 242.
[25] Knox, ii. 520; Randolph in Calendar, ii. 236-241.
[26] Buchanan, fol. 210. [27] Keith, ii. 399.
[28] Privy Council Register, i. 413. [29] Calendar, ii. 248.
[30] Lennox MSS. in Cambridge University Library.
[31] Hay Fleming, p. 382. M'Crie, citing Lochleven Papers.
[32] Privy Council Register, i. 338-343.
[33] Labanoff, i. 281. [34] Knox, ii. 283.
[35] Privy Council Register, i. 372. [36] Keith, ii. 412, 413.
[37] Forbes Leith, Narratives of Scottish Catholics, p. 108.
[38] Calendar, ii. 247. [39] Labanoff, vii. 107.
[40] Hay Fleming, p. 380. The conflicting evidence may be studied in Dr Hay Fleming's work, pp. 379, 380.
[41] Stevenson, Selections, pp. 153-159. [42] Froude, vii. 369.
[43] Papal Negotiations, xxxviii-xliii.
[44] Knox, ii. 520. [45] Keith, iii. 260.
[46] Goodall, i. 274. [47] Bain's Calendar, ii. 255.
[48] See Papal Negotiations with Queen Mary, section vii., and the Lennox Papers (MS.) in 'The Mystery of Mary Stuart.'
[49] This letter was in Mr Dawson Turner's Collection: was printed (twenty copies) by him in 'Maitland's Narrative,' a very rare book, and is cited by Tytler, vii. 23.
[50] Drury to Cecil, February 16, 1565; Keith, iii. 403-405.
[51] Keith, ii. 261-264. Murray and the exiles signed in England. The MS "band" with their signatures is at Melville House, in Fife.
[52] Calendar, ii. 261. [53] Privy Council Register, i. 437.
[54] Teulet, ii. 120.
[55] Calendar, ii. 258. [56] Calendar, ii. 260. [57] Calendar, ii. 265.
[58] Froude, vii. 384; Knox, ii. 520.
[59] Bedford and Randolph, in Wright's Elizabeth, i. 226. Ruthven, in various editions. Mary to Beaton, Keith, ii. 411-423. In Keith Ruthven is somewhat abridged, iii. 260-278. See bibliography in Hay Fleming, pp. 387-390.

[60] It was expected that Darnley and Mary should pass the night together. But Darnley could not be roused; he may have been drunk. Compare Bedford and Randolph in Wright's 'Elizabeth,' i. 229, with Ruthven, Keith, iii. 274, 275. Randolph and Bedford have confused the story.

[61] For. Cal. Eliz., 1566, p. 45. [62] Calendar, ii. 273.

[63] See a curious little proof of Lethington's complicity, Calendar, ii. 268, 269. It is only "case" spelled "caas," but confirms Randolph's evidence.

[64] Calendar, ii. 269, 270. [65] Privy Council Register, i. 452-454.

[66] Randolph, For. Cal. Eliz., May 2, 1566, 59.

[67] Calendar, ii. 277. [68] Calendar, ii. 278.

[69] Hume Brown, Knox, ii. 310.

[70] The Inventory was admirably edited by Joseph Robertson, for the Pannatyne Club.

[71] Calendar, ii. 278. [72] Calendar, ii. 296.

[73] Mystery of Mary Stuart, pp. 73-79, with the authorities.

[74] Calendar, ii. 288, 289. [75] Laing's Knox, ii. 532.

[76] Lennox MSS. in Cambridge University Library.

[77] Privy Council Register, i. 475, 476. [78] For. Cal. Eliz., 1566, p. 118.

[79] For. Cal. Eliz., 1566, pp. 128, 129. [80] For. Cal. Eliz., 1566, p. 132.

[81] Laing, History of Scotland, ii. 85. [82] Privy Council Register, i. 480.

[83] Teulet, ii. 139-146.

[84] Laing, ii. 331, 334; Nau, p. 35; Bain, Calendar, ii. 599, 600; Randolph, October 15, 1570, For. Cal. Eliz., ix. 354, 355; Mystery of Mary Stuart, pp. 87-93.

[85] Keith, ii. 449. [86] Teulet, ii. 150.

[87] Knox, ii. 533, 534. Compare Hay Fleming, p. 415, note 63.

[88] Laing, ii. 25. [89] Labanoff, i. 369.

[90] Diurnal, p. 100. [91] See Hay Fleming, p. 416.

[92] Keith, iii. 285, 286; Papal Negotiations, p. 306 and note 1.

[93] Diurnal, pp. 101, 102. [94] Detection. In Anderson, ii. 10-12.

[95] Keith, i. xcvi, December 2.

[96] Hay Fleming, p. 422; Anderson, iv. pt. ii. p. 186.

[97] Keith, iii. 290-294; Goodall, ii. 359.

[98] Keith, iii. 294. [99] Diurnal, pp. 127, 128.

[100] See Hay Fleming, p. 420; Froude, vii. 491.

[101] For. Cal. Eliz., 1567, p. 164; Bain, Calendar, ii. 310.

[102] Keith, i. xcix, ci. [103] Birrel's and the 'Diurnal.'

[104] Mystery of Mary Stuart, pp. xiii-xviii.

[105] Lennox MSS.; Diurnal; Birrel's Detectio; Actio; Buchanan's Historia; Labanoff, vii. 108, 109 (version of Moretta, the Ambassador of Savoy); Sir James Melville, p. 174.

[106] Laing, ii. 320.

[107] See also (September 5, 1567) Bedford to Cecil, on Talla's declarations.

[108] The depositions and confessions in Laing may be compared with M. Philippson's curious and ingenious criticism in 'Révue Historique,' xxxv-xxxvii. Want of local knowledge led M. Philippson into an error about the House of Callendar, Lord Livingstone's place, which he confused with the town of Callendar. Mr Hosack's criticisms, in his 'Mary, Queen of Scots,' i. 239-266, are also valuable. New material, from Lennox's MSS., is given in the author's 'Mystery of Mary Stuart.'

CHAPTER VIII.

THE PRISONS OF MARY STUART.

1567–1568.

An affair so important as the murder of the queen's husband was certain to leak out before its execution. Murray probably knew what was being conspired. Morton, before his execution in 1581, admitted that Bothwell had tried to enlist him; but he would not join without Mary's signed warrant, which Bothwell could not procure. Overtures were again made to him by Archibald Douglas, his cousin, who was with him later, when the famous silver casket with Mary's letters was broken open and inspected. Morton admitted that he did not try to dissuade his cousin from the deed, nor cease to associate with him, though Archibald was confessedly present on the scene of the crime of Kirk-o'-Field. Yet Morton it was who led the prosecution of Mary.[1] Morton confessedly signed a band to aid Bothwell if he were charged with the murder. On the scaffold he exclaimed, "I testify before God I have professed the evangel." Another of the murderers, Ormiston, a man of abominable life, thanked God, for, said he, "I am assured that I am one of His Elect."[2] Clearly these men expected to be saved by faith, not by works. Such were the conspirators, active or passive. Mary's attitude appears from her letter, or the letter written for her by Lethington, to her ambassador in France on February 11. Beaton had warned her to look closely to her safety, and, taking the cue, she thanked him for the advice, and said that the suspected plot had partially failed. She had lately slept in Kirk-o'-Field: the criminals expected her to do so again on that Sunday night, but she "of very chance tarried not all night, by reason of some masque at Holyrood;

but we believe that it was not chance, but that God put it in our head." Persons of both religions make very free with that awful name.[3]

Probably gunpowder was used for the very purpose of the pretence that Mary and the lords were aimed at as well as Darnley. Beaton replied that it were better for her to lose "life and all" than not to punish the crime. Men averred that "all was done by her command." She was now the common talk of Europe.[4] Mary did not—in her position she could not—take the advice of her faithful servant. Even if innocent, what could she do, with Bothwell, Argyll, Huntly, and Lethington all concerned in the plot? As Beaton predicted, all went from bad to worse. The inquiry which was begun ceased as soon as it became dangerous. No man durst earn the reward which was offered for a discovery.[5] Caricatures of Bothwell and the queen were posted on the walls, and (March 13) James Murray of Tullibardine was denounced as the artist and fled.[6] Nocturnal voices denounced the guilty. Mary's mourning was regarded as a farce. James Murray of Tullibardine in vain offered to denounce and fight the culprits. Lennox, granted a trial, accused Bothwell, who overawed justice as the friends of the preachers had done, as everybody did, by a display of force. Lennox, on the other hand, was not allowed to bring in his own following. Yet even here Mr Hosack makes out a fair forensic defence of the queen.[7]

Lennox asked Elizabeth to back his petition for the adjournment of the trial. Elizabeth's messenger reached Holyrood on the morning of the "day of law." He was not allowed to enter Holyrood, and was insulted. Finally, Bothwell took the letter of Elizabeth in, but returned and said that Mary was asleep. His horse (once Darnley's) was brought, he mounted, and glanced back at the palace; the messenger saw Mary nod to him from her window.[8] At the trial a friend of Lennox, Cunningham, entered a protest, behaving with great courage. After long debate the jury, for fear or favour, and helped by a technical error in the pleas, acquitted Bothwell in the lack of evidence, some giving no vote.[9] Parliament met (April 14-19), and an attempt was made to conciliate all parties. The spiritual members sat, and some of them acted as Lords of the Articles. All old laws against Protestantism were annulled, and holders were secured in their possession of Church lands. The General Assembly "obtained for every borough" the altarages and obits, for the maintenance

of ministers, schools, and the poor.[10] Edinburgh Castle had been taken from Mar, who received Stirling Castle, where he protected the infant prince as honourably as he had acted in his tenure of Edinburgh Castle. Bothwell got Dunbar Castle, a strong place of retreat, with power of escape by sea. The placarding of charges against Mary was denounced under severe penalties. As Kirkcaldy avers, in a letter to Bedford, that the queen "caused ratify the *cleansing* of Bothwell," it is difficult to doubt a fact not chronicled in the public records.[11] Many lords, including Huntly, were confirmed in their estates, some of which Mary might have legally resumed.[12] Among the names of the nobles present in Parliament that of Murray does not appear; Lethington and his kinsman, Atholl, are also absent, which is strange. On March 13 Murray had asked Cecil, in haste, for a safe-conduct. Archbishop Beaton, in Paris, was just then warning Mary that the Spanish Ambassador knew of, but would not reveal, another plot against her.[13] Murray had a remarkable knack of keeping out of the way when conspiracies were about to come to a head. Just before asking Cecil for a safe-conduct, Murray had entertained the new English envoy, Killigrew, at dinner (March 8). The other guests, Argyll, Huntly, Bothwell, and Lethington, were all in the band to murder Darnley.[14] Is it not clear that Murray had no suspicions as to the character of these designing men? The ardent advocates of Mary will urge that she was as guileless as her brother. Bothwell had, indeed, been placarded as the chief assassin; but Murray was not the man to be moved by anonymous accusations. Things had even been said against himself. Of Mary his generous nature entertained no suspicion. Just as he chose a select party of murderers to meet the English envoy, so, before leaving Scotland, he made his will, leaving Mary guardian to his infant daughter (April 3, 1567).[15] Then Murray departed on a visit to France, taking England on the way.

By making this opportune jaunt Murray missed a singular event —the signing, by many nobles, of the Ainslie band advising Mary to marry Bothwell. To this band the signatures were placed, after a supper given by Bothwell at Ainslie's Tavern, on the night of April 19. In December 1568, when the Commission on Mary met at Westminster, a copy of this band was given to Cecil by John Read, a clerk of George Buchanan. The signatures were not appended, and Cecil himself has written them as supplied by Read from

memory. Murray, we are certain, was not present at the supper, yet Read heads the list with his name.[16] Nothing is much darker in these intrigues than the truth about Ainslie's band, an association for supporting Bothwell, and recommending him as a husband to Mary. When Murray, Morton, and Lethington prosecuted Mary before the English commission in 1568 they do not appear, as a body, to have put in an official copy of this band, at least not of the signatures. Murray's name, as we saw, is in the list supplied by the memory of Read, but Murray was not even in the country on April 19. Mary's confessor told the Spanish Ambassador, in London, in July 1567, that Murray did not sign.[17] There was for long a copy of the band in the Scots College at Paris, attested by Sir James Balfour as authentic. The signatures differ from those in Read's list, and include Archbishop Hamilton, the Bishop of Orkney, and Lesley, Bishop of Ross. The second of these performed in May the marriage service between Mary and Bothwell, yet he was one of the Scottish commissioners who prosecuted the queen. Lesley avers that he cannot account (unless by art magic) for Mary's conduct in wedding Bothwell. According to a MS. of Lethington's son (1616), Lesley was a hanger-on at this time of the Hepburns.

It is to be remarked that Lethington did not sign, nor did his kinsman, Atholl, though Nau, Mary's secretary, avers that Lethington urged her to the marriage. He cannot have approved of it; he was now on the worst terms with Bothwell. The lords later averred that they had Mary's warrant for signing; they showed it at the York meeting, October 1568, but it is not mentioned in the subsequent proceedings at Westminster.[18] Thus we know not exactly what lords signed (Morton certainly did) or why. "Ainslie's band" was clearly a subject on which the God-fearing men who later prosecuted Mary wished to say as little as possible. Later they denounced her for wedding Bothwell, though in Ainslie's band they had urged her to marry him. Their excuses were, now that they were frightened into signing by the musketeers of the guards, now that they had a warrant for signing from Mary. Neither apology, nor both combined, seems worthy of high-spirited, sagacious, and deeply religious men. A more valuable, if more subtle, apology is that of modern admirers of the lords. They had advised Mary to marry Bothwell, but that did not imply that Bothwell was licensed to carry her off by force. However, they still publicly maintained that he had carried her off by force, after they

had professed privately that they knew her to be in collusion with him (June 30, 1567).[19] Thus Ainslie's band remained a stone of stumbling to the men who first signed it, and then prosecuted the queen. On April 20 Kirkcaldy, giving a fresh account of the doings of the previous day, told Bedford that Bothwell, "the night Parliament was dissolved, called most of the noblemen to supper, to desire their promise in writing and consent to the queen's marriage, which he will obtain,—for she has said she cares not to lose France, England, and her own country for him, and shall go with him to the world's end in a white petticoat ere she leave him."[20] Kirkcaldy probably did not hear her say so, but her behaviour made the report credible to him. He says nothing here about the employment of force and terror at Ainslie's tavern. He asked whether Elizabeth would aid his allies in avenging Darnley's murder. Drury reports that, on the night after Ainslie's supper, Bothwell's men mutinied for pay in the queen's presence, and were pacified by her with 400 crowns. On the 21st (Monday) she went to Stirling to see her child, and Kirkcaldy reported that she meant to place him in Bothwell's hands. Mar was not the man to permit this, if intended. Drury tells an absurd tale, that Mary offered her child an apple, a natural dainty for a child of nine months. The young Solomon declined the fruit, so tempting to a toothless nursling; but it was thankfully shared by a greyhound and her puppies, which all incontinently expired. Greyhounds are not usually fond of raw apples. Such are the legends of Drury to Mary's disadvantage.

The next event was the abduction of Mary by Bothwell on her way from Stirling to Edinburgh. Was she in collusion? Mr. Hosack, in his defence, does not remark on the circumstance that, if Mary was ignorant of the enterprise, many of her subjects were not. Intelligence of the scheme is given in a letter of the day of the deed (April 24), signed "by him that is yours, who took you by the hand. At midnight."* Drury knew the purpose on the same day.[21] As early as April 23, Lennox, in the west, knew, determined to fly, and wrote about the plot from his ship to Lady Lennox.[22] Bothwell apparently did not rely on the Ainslie band, and he, or Mary, was in a hurry. Mr Froude prints, and dates "April 23," one of the

* Kirkcaldy seems to write on April 24, "at midnight," and merely *foretells* the seizure of Mary. By midnight of April 24 he must have known the fact. He must have written, then, at midnight of April 23. See Calendar, ii. 324. Drury, writing from Berwick on April 24, had certainly read Kirkcaldy's letter.

disputed casket letters, alleged to have been written at this time by Mary from Stirling (letter vii.) There are, in fact, three letters on this subject of the abduction—iii. (viii.), vi., vii. They express distrust of Huntly, the brother of that wife whom Bothwell was about to divorce. There are difficulties concerning these letters. In vii. Mary says that Sutherland is with her at Stirling, and many who would rather die than let her be taken. We have no proof or hint that Sutherland was at Stirling. Moreover, as Lethington was apparently with Mary, why does she bid Bothwell say "many fair words to Lethington"? Again, letter viii. is clearly *not* third in order, as is alleged in "Murray's Diary" of dates supplied to Cecil, but, if genuine, was written at Linlithgow the night before the abduction. This extraordinary piece of euphuistic jargon is discussed in the author's 'Mystery of Mary Stuart.'

On April 24, at some undetermined spot near Edinburgh, Mary was abducted by Bothwell with a large force, and carried to Dunbar. Huntly (in collusion), Sir James Melville, and Lethington were taken with her. Had Lethington been aware of the scheme he would not have been there. Did Mary know more than Lethington? Drury reports that he would have been slain on the first night "if the queen had not hindered Huntly, and said that if a hair of Lethington's head perished, she would cause him to forfeit lands, goods, and life."[23] Sir James Melville says that Lethington was in danger from Bothwell, not Huntly, and Lethington's son (MS. of 1616) gives a minute account of how Mary bravely rescued her secretary. Mary implies, in a letter to the French Court, that Bothwell actually violated her person—this as an excuse for her consent to marry him.[24] All this line of defence is inconsistent with Mary's determined courage, as just proved by her rescue of Lethington. It is the natural inference that she, like many other women, was not proof against the charms of Bothwell, who, moreover, had practically saved her after Riccio's murder.

No man can record this opinion without regret. Charm, courage, kindness, loyalty to friends and servants, all were Mary's. But she fell; and passion overcame her, who to other hostile influences presented a heart of diamond. They who have followed her fortunes, cruel in every change, must feel, if convinced of her passion, an inextinguishable regret, a kind of vicarious remorse, a blot, as it were, on their personal honour. Not all earth's rivers flowing in one channel can wash the stain away. As in the tragedy

of Æschylus, the heroic queen has sacrificed herself, and the noble nature that was born with her, to the love of the basest of mankind. "Strange tragedies," Lethington had predicted, would follow her coming to Scotland, as if foreseeing not only her, but his own, mischance.

Events hurried on: two days after the elopement Kirkcaldy told Bedford that he must avenge Darnley's death or leave the country.[25] Many would aid him, but they fear Elizabeth. Mary remained with Bothwell at Dunbar till May 6. A double process of divorce between Bothwell and his wife, in Catholic and Protestant courts, was shuffled through. The Protestants found Bothwell guilty of adultery with a maid-servant; the Catholics declared that the marriage had always been null for lack of a dispensation, which, none the less, existed, and has been found by Dr Stewart, but which contains an extraordinary error in the dating.[26] The decisions which set Bothwell free to marry were on May 3 and May 7. On the 6th Bothwell and Mary entered Edinburgh in state. On May 9 their banns of marriage were read, Craig, the preacher, publicly proclaiming his horror at the task which he could not legally decline. Craig throughout displayed extraordinary courage: not many men dared to beard Bothwell in that hour. In Craig we see the best aspect of the Reformation, austere and dauntless virtue. Mary now created Bothwell Duke of Orkney; she safeguarded her exclusive regal rights in a way impossible to a helpless victim. The Protestant Bishop of Orkney married the pair by the Protestant ceremony on May 15. For Bothwell Mary temporarily deserted even her Church. But few nobles were present; du Croc, representing France, declined to attend. Already was Mary's a life of tears and bitterness. Bothwell was brutally jealous of her, saying that he thoroughly understood her love of licence; she was still jealous of Lady Bothwell. On her wedding-day she told du Croc that she longed to die. Later, being alone with Bothwell, she was heard, says du Croc, to call for a knife to slay herself.[27] These facts may be regarded as presumptions in favour of her reluctance to marry Bothwell, but they admit of another explanation—wretchedness, caused by jealousy on both sides.

Even before the marriage (April 27) the lords of the North, from Aberdeen, had offered to rescue Mary. By May 5 Drury announced that the lords, including Morton, Atholl, and Bothwell's accomplices, were banded at Stirling in a scheme to crown

little James VI. Robert Melville added that France had offered to aid them (for the purpose of renewing the old alliance), but that they preferred help from Elizabeth.[28] Kirkcaldy announced their purpose, to rescue Mary, guard the child prince, and avenge Darnley. He indicated the danger of a French alliance, and wished Murray to be in readiness on the coast of Normandy. Mary knew her peril: by May 31 Drury reports that she has coined Elizabeth's beautiful golden font and much of her plate. Ballads and caricatures against the queen were circulated. Mary hastened a Border expedition for the purpose of levying men: she and Bothwell were now deserted by Lethington (June 7). He joined Atholl, and with him entered Edinburgh. Mary and Bothwell moved to Borthwick Castle, tending towards a Border tour, while Lethington had a long interview with Balfour in the castle, and detached him from Bothwell. On the night of June 10-11 the hostile lords surrounded Borthwick. Bothwell slipped away, Mary issued a proclamation; but on the night of June 11 rode to join him on the road to Dunbar, in male attire. From Edinburgh the lords issued their proclamation; they would rescue Mary, guard James, and avenge Darnley. They accused Bothwell of the murder, many of them, as accomplices, knowing the truth. He had bewitched Mary, they said, "by unlawful ways"; had hypnotised her, as it were. Her own innocence of the murder was not disputed.[29] The best account of what followed is in papers sent to France by du Croc, the French Ambassador.[30] Mary was clad in a short red petticoat, kilted to the knee. She marched on Edinburgh with Bothwell's retainers; the lords, in about equal force, some 1000 men, manœuvred on the old cock-pit of Scotland, the banks of Esk, near the scenes of Pinkie fight and Prestonpans. Mary occupied Carberry Hill (June 15). Du Croc tried to negotiate, but failed, and retired to Edinburgh. The hostile armies watched each other, but gradually Mary's men slipped away to look for provender. The lords knew that Mary's force must retreat for want of supplies. Bothwell now sent a challenge to single combat: Tullibardine took up the gage; his quality was denied. Lindsay offered himself, but Mary could not be persuaded to let her lover hazard his life. The lords' army now advanced under a banner painted with Darnley dead, and little James praying to heaven for vengeance. The captain of Inchkeith, a French officer whose report du Croc sent to his Government,

says that Mary offered to surrender herself if Bothwell was not pursued. James Beaton, writing to the Archbishop of Glasgow, rather gives the idea that Mary "drove time" till Bothwell had a start of two miles.[31] Mary herself alleged that the lords promised loyalty if she joined them.[32] But to what extent the lords made promises, which, if made, were broken, remains uncertain.[33] It certainly seems that, as regards Bothwell, the lords were glad to be rid of so compromising a captive. Mary, in her red petticoat, rode into Edinburgh, threatened and threatening. She was lodged in the house of Henderson of Fordel, a Fifeshire laird of her acquaintance, the house being then occupied by the Provost. The rabble howled at her: she appeared at the window dishevelled and half clad, and her aspect bred some pity. She is reported to have written a love-letter to Bothwell, which was betrayed by the bearer. If this were true, the letter would have been produced with the casket letters. But the story, with Lethington's statement that, in conversation with him, she declined to abandon Bothwell, gave the lords an excuse for holding her as a prisoner.[34] According to Melville, Grange resented her treatment: it was to him that she had yielded herself. The letter, however, impeded Grange's desire to help her. The circumstances are obscure, but may partly account for Grange's later attitude.

Here it is to be remarked that Nau, Mary's secretary, gives an account of the whole circumstances which cannot be neglected. Mary, when taken at Carberry, accused Morton of a hand in Darnley's murder, and of this fact we have independent evidence. Nau also alleges that Bothwell, at their last parting on the field, gave Mary a copy of the murder band with signatures. Thus informed, Mary, on the day after Carberry (June 16), accused Lethington of his part in the deed. There is good reason to believe, from Mary's letters to Sir James Balfour, before the fall of Morton (1581), that Mary did not possess the murder band. But some document she had. At Lochleven, in prison, she was heard to say that she possessed "that in black and white which would cause Lethington to hang by the neck"; so a letter in the Lennox MSS. declares. Therefore, on June 16, in an interview with Lethington (says Nau), she told him what she knew of his guilt. A few weeks ago she had saved his life at her own peril, placing her body between him and Bothwell's dirk, in the *ruelle* of her bedroom. And now Lethington was the most cruel of her

captors. As a fact, she detested him henceforth, alive and dead, as is proved by the Memoirs of Nau. Lethington of course gave a very different account of their interview on June 16, while she was a prisoner in Edinburgh. He posed as a man reluctantly obliged to leave her cause, but most anxious to serve her if he could. Nay, he presently did try to conciliate her, but (as Randolph plainly told him in a letter of a later date) not till he had failed to induce the lords to put her to death. As she lived, and as she had proof of his guilt in Darnley's murder, he was compelled to conciliate her. We shall find that, while he showed the casket letters, *privately*, to the English commissioners at York (October 1568), to attain a special end, he next tried to shake the belief of Norfolk in the authenticity of the letters, and opposed their public production at Westminster. Once the letters were widely known, Lethington had shot his bolt, while hers, her proof of his guilt, was in her quiver. Thus he was forced into her service later, and died in it, unforgiven. By this theory, previously unknown to our historians, the strangely tortuous later policy of Lethington may be explained. His ruin was the signing of the murder band, a thing which he should have foreseen to be hostile to his interests, as it left Mary at the mercy of Bothwell, his deadly foe. Meanwhile, in Edinburgh, after Carberry, Mary found in Lethington a measure of ingratitude which made him, of all men, the most hateful in her eyes. He produced, on the mind of du Croc, the impression that Mary was guilty. "*The unhappy facts are only too well proved.*"[35]

Later, Mary was led to Holyrood under an escort bearing the banner painted with the death of Darnley. She tried to send a message to Sir James Balfour, praying him to keep the castle for her, but that wretch had been making his peace with the lords. She begged her maid to implore for the pity and kindness of Lethington, whom she had saved from the brutal threats of Bothwell. So wrote James Beaton to his brother, the Archbishop, in Paris.[36] At midnight she was hurried to the Castle of Lochleven, on the little island near the northern shore of the loch. The lord of the castle was Sir William Douglas, half-brother of Mary's own half-brother, the Earl of Murray. Here, in the narrow chambers of the tower on the islet, she could draw breath, and know herself deserted, stripped of everything, insulted, and in peril of death, all for "a little of dear-bought love." That Mary parted from Bothwell readily, and did not love him, is the

argument of Mr Hosack. What evidence exists looks contrary to this opinion. The lords were now safe for the moment. Bothwell had fled to Spynie, the castle of his aged kinsman, the Bishop of Murray, whence he retired to his new duchy, the Orkney Islands. Mary was secured in a prison, where she soon fascinated Ruthven (she declared, through Nau, that he insulted her by his passion), and won over most of the dwellers in the little isle. Elizabeth was writing severe letters to Mary, and threatening the lords if they injured her. Presently she sent Throckmorton, an unwilling envoy, to see Mary, if possible, and to take measures for her protection. Elizabeth wished the child prince to be conveyed to England; du Croc desired that he might be removed to France: the lords could play alternately on French and English ambition. This was their strength, at once against the queen's party (the Hamiltons, with Argyll and Huntly) and the anger of Elizabeth. But their legal position was bad: they were certainly rebels, and in danger while Mary lived and was uncondemned. That she should die, after or before legal condemnation, was the eager desire of the populace and the preachers.

At this critical moment (June 19-21) Dalgleish, a servant of Bothwell's, visited the castle, was arrested, and was found in possession of a small casket, silver gilt, a present from Mary to Bothwell. The casket, according to a formal statement of Morton's before Elizabeth's commissioners in December 1568, was forced open in the presence of himself and of many gentlemen, including Lethington, Atholl, Home, and Archibald Douglas, cousin of Morton, and one of Darnley's murderers.[37] The contents of the coffer were the celebrated incriminating "casket letters" of Mary to Bothwell, her "sonnets," and a promise of marriage. The question of the authenticity of these MSS. is discussed in an appendix (A). Meanwhile, genuine or not, they furnished a secret reserve of strength to the lords, as justifying their treatment of the guilty Mary. Dalgleish's deposition contains no word of the casket, but this is unimportant. He could know nothing of its contents.[38] An important point to note, though hardly appreciated by some writers, is this: on June 21, the day of the inspection of the casket papers, a messenger was sent post-haste, "on sudden despatch," by the lords to Cecil. He bore a letter from Lethington, who, since Bothwell carried him and Mary off on April 24, had not sat in the Privy Council: his name does not occur even in the list of June 21. From Lethington's letter, and from the circumstances, it is plain that the messenger, George Douglas, carried

a verbal message about the contents of the casket to Cecil, and also to Robert Melville, who had been sent to London by Mary and Bothwell on June 5. He had also, secretly, carried messages from the lords, who were preparing to rise in arms. Melville argued with Elizabeth on Mary's side. Probably it was he who induced Elizabeth to express to the Spanish Ambassador her disbelief in the authenticity of the letters, and her opinion that Lethington had "acted badly in that matter." Nor is it impossible that Lethington had tampered with the papers. For several days Lethington had been in touch with Sir James Balfour, the custodian of the casket, and Randolph accuses Lethington and Balfour of opening a small casket or coffer of Bothwell's, covered with green velvet (as we know that such coffers usually were), and of abstracting the band for Darnley's murder. They who abstracted one paper could insert or alter others.[39]

As late as July 21, a month after the capture of the casket, the lords still proclaimed that Bothwell had "treasonably ravished her majesty's most noble person," though, if they believed the letters, he had done nothing of the kind.[40] Probably they were keeping back their strongest card; but their conduct was highly inconsistent. Presently they were obliged to play their card. By July 14 Throckmorton was in Edinburgh, to save Mary if he could. He found himself in hard case. He dared not attempt, as Elizabeth desired, to prevent Parliament from meeting (in December). Lethington let him see that France counterbalanced England at this juncture. The general rage against Mary was violent. A movement of the Hamiltons had come to nothing: they really threatened action, the ambassador thought, merely to drive the lords to kill Mary, and leave only her child between them and the crown. Throckmorton and de Lignerolles, the French envoy, were not allowed to visit Mary. She refused to be divorced from Bothwell, urging (it seems truly) that she was with child by him. The lords at first spoke "reverently and charitably" of Mary; but on July 24 Lindsay visited her at Lochleven, and extorted her signature to her abdication, and to the appointment of Murray as Regent, or, failing him, of a Council. As early as July 18 Throckmorton reported that Mary had herself proposed, in a letter, thus to "commit the realm" to Murray, or to the same committee.[41] She did not even reserve her nominal queenship. This, if true, is curious, and does not suggest that threats were needed on July

24, when the abdication was signed. Had the casket letters been used to put pressure on Mary? This we do not know. Murray's wife was with her, on very friendly terms. On July 25 Throckmorton wrote that, if Mary would not abdicate, the lords meant to charge her (1) with "tyranny" for not keeping the laws of the illegal Parliament of 1560; (2) with incontinency with Bothwell "and others"; (3) "They mean to charge her with the murder of her husband, whereof they say they have proof by the testimony of her own handwriting as also by sufficient witnesses." The Lennox MSS. speak of witnesses who saw Mary in male costume at her husband's murder. They were never produced: it was a fable. The lords invited Throckmorton to the coronation of James VI. at Stirling on July 29. Throckmorton declined to go, Knox preached, and the preachers had already attacked him.[42] But this, of course, was not his motive for refusal. In his opinion he had preserved Mary's life.[43]

On August 11 Murray, who had taken London on his way from France, reached Edinburgh. On the 15th he revisited Mary at Lochleven. He had not come too early.[44] Tullibardine (apparently a man of honour) and Lethington separately informed Throckmorton that envoys had come from the Archbishop of St Andrews, and that Duncan Forbes had been sent to the lords by Huntly. The queen's party, by these messengers, promised to join the lords if they would kill the queen.[45] Murray, after his arrival, spoke as bitterly as any man "against the tragedy" of Darnley "and the players therein" (August 12). He had, however, stayed at Whittingham with the brother of Archibald Douglas, one of the murderers, on his way to Edinburgh.[46] He was "in great commiseration for the queen, his sister," though he knew, and had told de Silva, about her alleged long murderous letter to Bothwell,—which, as described by de Silva, is not letter ii. of the casket series.[47] As to Murray's dealing with his sister, Throckmorton informed Elizabeth on August 20. First, Murray, Atholl, and Morton together met the queen, who wept, and drew Murray apart. Murray spoke in darkling and ambiguous terms. They had a later conversation, till an hour after midnight, Murray behaving "like a ghostly father rather than a counsellor." He left her to go to bed "in hope of nothing but God's mercy"—that is, with a prospect of imminent death. Next morning he promised her life, and, as far as he could, "the preservation of her honour." Thereon the poor

queen kissed him, and asked him (it was her only chance) to be Regent. So he yielded: he *would* take the regency, and also take care of her jewels. (Some he sold, others of the best he intrusted to his wife.) All this Murray told Throckmorton, adding that the promise of life was conditional—and depended on his power to assure her safety. The affair was adroitly managed, but historians differ as to the candour and disinterestedness of Murray.[48] Mr Froude speaks of Murray as "the one man in all the world who loved her" (Mary) "as his father's daughter, who had no guilt on his heart, like so many of those who were clamouring for her death." Murray had guilt enough on his heart: he had been made privy to Riccio's murder, and few can doubt that he concealed his foreknowledge of the plot to murder Darnley. Then as to the "others," —Lethington, Morton, Balfour, and the rest, who were conspirators, active or passive, to kill Darnley,—what had Murray to say to Mary? He warned her to bear no "revenge to the lords and others *who had sought her reformation.*"[49] Murray himself actually told Throckmorton that he had lectured Mary about "the lords who sought her reformation"!

"Thenceforth," says Mr Froude, "she hated him with an intensity to which her past dislike was pale and colourless." It is no marvel if she did hate him, as men hate Pecksniff or Tartuffe. Murray cannot have been ambitious of the regency, Mr Froude thinks, because "a less tempting prospect to personal ambition has been rarely offered." Yet for the regency, or the crown, with authority over a poor, fierce, treacherous, and now hypocritical band of high-born ruffians, Houses and men were ready to brave all perils and to attempt all crimes. The feeble Lennox presently grasped at the same power, and his ambition had the same end. Much has been written about the character of Murray; but no minutely critical account of his life and character exists. He has fascinated some students; in others, not especially favourable to Mary, as in Tytler and Monsieur Philippson, he has excited either suspicion or loathing. At this moment, and during his regency, he had a most invidious task. His courage and his self-restraint have never been doubted: his character was free from the sensual vices, and it is probable that his religion was sincere. In accepting the regency, and steering the State through perilous passages of time, he did his duty with patience and fortitude. It was a duty that some one must do. But when he plays "the ghostly father,"—

when he tells his sister that the lords desired her "reformation,"—we must regard him either as innocent beyond the innocence of childhood or as an accomplished hypocrite. He came to Mary from the Council, where he sat with men banded to procure her late husband's murder, and with men who, knowing that the deed was planned, as he himself must have known it, had cowardly held their peace. He himself, on his passage through England, had not concealed his sister's shame. On the strength of a report of a letter of Mary's, a letter which, as described by de Silva from Murray's report, never was produced, he had revealed her guilt (Mr Froude informs us) to the ambassador of an "Idolatrous" Power. This was the kinsman who, Mr Froude tells us, assured her that "if possible he would shield her reputation, and prevent the publication of her letters." [50]

Mary's own account of her interview with Murray, in Claude Nau, naturally differs much from Murray's version to Throckmorton. The part which Murray played, in his private relations with his sister, cannot be made to appear graceful or magnanimous. But he could not possibly release her from prison without provoking civil war. Lethington and he made Throckmorton understand that, if hard pressed by Elizabeth, they had no refuge from ruin except by justifying their conduct (with the aid of the casket letters probably) and proceeding to extremities. Elizabeth might, and did, intrigue with the Hamiltons, but "we have in our hands to make the accord" (with the Hamiltons) "when we will." Lethington doubtless meant to repeat his previous statement, that if the lords put Mary to death, the Hamiltons would join them.[51] Murray declared that he would spend his life in the cause of reducing all men to obedience in the king's name. He kept his promise; and for the hour he saved Scotland from the civil war which Elizabeth would fain have lighted. He awed the western and northern malcontents, and Throckmorton withdrew to England. Murray then secured his authority by prudent measures. Balfour, for a large consideration, resigned Edinburgh Castle, of which Kirkcaldy, to his undoing, was appointed captain. He had just failed to catch Bothwell in the Orkney Isles. Dunbar Castle, strongly held for Bothwell, capitulated on October 1. A few days later Bothwell was summoned to appear at Parliament in December, and Sir William Stewart, the herald, was sent to Denmark to demand Bothwell's extradition. This Stewart was later burned on a

charge of sorcery at St Andrews, doubtless, really, for some political reason.

Presently (October 28) Drury reported that Mary was on too good terms with George Douglas, younger brother of William Douglas of Lochleven, her jailer. Not much is ascertained as to their love-affair, if love-affair there was, but Mary had already found and won the author of her deliverance. That the lords would keep her prisoner while they could was assured in the Parliament of December, when they acquitted themselves of rebellion by an Act announcing that they had proof of her guilt in the casket letters.[52] They declined to allow her to appear in person, and plead her own cause. She would have exposed Morton and Lethington, perhaps with others.

Before this Parliament Murray had tried to restore order on the Marches by hanging and drowning a number of rievers at Hawick.[53] The Black Laird of Ormiston, one of Darnley's murderers, made his escape. The severities of Murray, however needful, did not increase his popularity, which was probably still more diminished by the public confession of Hay, younger of Talla, when executed for Darnley's murder on January 3, 1568. He declared that Huntly, Argyll, Lethington, Sir James Balfour, "with divers other nobles," had signed the band for Darnley's murder, "whereto the queen's grace consented," according to the 'Diurnal.' Public indignation caused the men denounced to leave Edinburgh, so that the alleged destruction of the band had been of no avail, the secret was out, and Murray's party was now rent by internal suspicions.[54] Moreover, the intolerance of Murray, in re-enacting the penal statutes of 1560, helped to break Scotland into divisions. Catholic noblemen like Atholl were driven into the arms of the Hamiltons. Murray's oath, as Regent, bound him to "root out all heretics and enemies to the true worship of God, that shall be convicted by the True Kirk of God of the aforesaid crimes."[55] But presently we find Murray offering to renew the ancient league with idolatrous France, and offering his humblest service to the French king and Catherine de' Medici. Murray was not "a consistent walker."[56] He was soon selling Mary's pearls secretly to Elizabeth.[57] Ballads about the shielding of the chief conspirators to murder Darnley, now members of the Government pledged to avenge Darnley, rained upon the Regent.

In Lochleven Mary had found means to write, and send letters,

though rarely, and at peril of her life. On May 1 she wrote entreating aid from Elizabeth and Catherine de' Medici. She had no opportunity save at the dinner-time of the Douglas family, "for their girls sleep with me." Her friend, George Douglas, had been banished from the islet after her failure to escape (March 25) in the disguise of a laundress. Her letters were sent on the eve of her escape, on May 2. The romantic details—the stealing of the keys by "little Douglas" (William, a foundling lad of seventeen); the casting by him of the keys "to the kelpie's keeping"; the landing, under the protection of George Douglas; the meeting with Bothwell's kinsman, Hepburn of Riccartoun, who was sent, too late, to secure Dunbar; the wild ride to Seton's house of Longniddry, and the tryst with the queen's party at Hamilton—are too well known to need a minute narrative. If we believe Claude Nau, the queen's secretary, the key was thrown into the mouth of a cannon, natheless the keys were long after recovered from the lake. It seems probable that the lady of Lochleven, Murray's mother, was no stranger to the plot.

Murray at once summoned the king's party to meet at Glasgow. He collected the forces of the Protestant lords in general, though Argyll was with Mary. There exists a curious proclamation, drawn up by her or for her—at all events it is attributed to her. Murray is referred to as a "beastly" and "bastard" traitor: the Hamiltons are "that good House of Hamilton." The language used about Lethington is copious and florid. Yet at this date (May 6) Lethington and the other "beastly traitor" were reported to be on bad terms.[58] Probably the proclamation is a hoax, or never was issued. Dr Hay Fleming publishes a reasonable and clement proclamation of May 5.[59] Willingly, or unwillingly (accounts differ), Mary on May 13 tried the ordeal of battle. She approached Glasgow, on her way to the strong Castle of Dumbarton; she was met at Langside, and the tactics of Kirkcaldy, the better discipline of Murray's men, and a fit of epilepsy or cowardice on the part of Argyll, caused her entire defeat. Murray occupied Langside Hill, "the western division of Queen's Park" to-day; while Kirkcaldy, mounting 200 musketeers behind horsemen for better speed, stationed these marksmen under cover in the cottages and enclosures of Langside village. Murray followed with his infantry, his left wing extending behind the farm of Pathhead. The right wing held the village of Langside, at the crest of the Lang Loan. Mary had been anticipated in

seizing the hill, and from Clincart Hill there began an artillery duel. Under cover of the fire the Hamiltons, first passing behind Clincart Hill, advanced to storm the village, supported by the cavalry under Lord Herries, Warden of the Western Marches. Drumlanrig led Murray's horse against Herries, who had one successful and one disastrous charge. Routed by the archers, Herries could not aid the Hamiltons, who, climbing the long narrow lane, were galled by Murray's musketeers. Finally the infantry of both parties drove at each other with levelled spears, so serried, owing to the narrow space, that the missiles thrown, pistols and daggers, lay as on a floor of interlaced lance-shafts. Kirkcaldy led fresh troops from the village, charged the Hamiltons on front and flank, and drove them pell-mell downhill on the queen's main body. The rout began, slaughter being checked by the activity and clemency of Murray. Many prisoners were taken, such as Seton and the Masters of Eglinton and Cassilis. Knox's father-in-law, Lord Ochiltree, and his successor in the affections of Mrs Knox, Ker of Faldonside, were severely wounded. From the Court Knowe of Cathcart, a hundred yards from Cathcart Castle, Mary probably looked on at her own defeat.[60]

Mary fled south to Herries's country, covering sixty miles in the first day, and writing to Elizabeth from Dundrennan on May 15. She implored leave to visit Elizabeth at once: next day she most unadvisedly crossed the Solway to Workington, accompanied by Herries, George Douglas, and fourteen others. She had entered without a passport the realm of her deadliest foe: the rest of her life was a long imprisonment. From this hour Mary became a kind of centre on which concentrated every wave of all the electric forces of European politics. Nothing could stir, in France, Spain, Rome, England, or Scotland, but it offered her chances. It is not possible, in our space, even to condense the record of each of the hourly wavering policies. The position was, and remained, one of extraordinary perplexity. But one point was fixed, in Elizabeth's name, from the first. "Let none of them escape!"[61] While Mary lay in Carlisle, first under Lowther, then under Knollys, acting for Northumberland, Cecil drew up balanced memorials which contain the pros and cons of the situation. Mary deserved help as a voluntary suppliant who had received many promises of aid. Her subjects had seized and condemned her unheard. She offers to acquit herself of Darnley's death in Elizabeth's presence. No private person

even should be condemned unheard. She offers to accuse her subjects. But she is guilty of all the sins imputed to her.[62]

If she were, we may say, that was no affair to be judged by Elizabeth. England was reasserting the old claim of Edward I. to judge Balliol, and that, of all things, would most infuriate the Scots. Mary was asking for one of two things: a personal meeting with Elizabeth, when she would exculpate herself, or leave to go free and seek aid elsewhere. It was highly unjust and dishonourable to reject both pleas, but it was inevitably expedient. If set free, she might go to France and revive the old claim to the English crown, an offence unexpiated and unforgiven. The ancient league would be restored: French forces would again enter Scotland: Protestantism in both countries would be endangered. If she returned to Scotland, under whatever limitations, the dangers to England were manifest. If she remained in England, she would make a party among the Catholics, and revive her claim to the crown, while France or Spain might intervene. Such were the three courses; and the last alternative, to keep Mary prisoner, was resolved upon as manifestly the least dangerous. But this policy might be less unfavourably coloured by drawing Mary into any kind of suit against her rebels. Before Elizabeth Mary must not be heard in person: her subjects must be heard; and Mary might be so much discredited, without injuring the common cause of royalty by a verdict of "Guilty," that she would be ruined in the eyes of Catholics. But how was Mary to be led into consenting to any kind of trial before Elizabeth? Clearly by leading her to believe that an appeal to Elizabeth could only end in her restoration.

On May 28 she accredited Herries to Elizabeth, and sent Fleming, in the hope that he would be allowed to go to France. This Elizabeth forbade: Fleming was captain of Dumbarton Castle, the French gate to Scotland. As to Herries's mission, Elizabeth (June 8) told Mary that she could not see her till her case was clear. "You put in my hands the handling of this business." Now Mary had only said (May 28) that she desired an interview with Elizabeth, and to tell her the truth, "against all their lies."[63] To Murray, on June 8, Elizabeth wrote that Mary "is committing the ordering of her cause to us." She then bade Murray drop military and legal proceedings against Mary's adherents, which he did not do. Herries was led to believe that Elizabeth "intends to proceed in my sovereign's cause."[64] One

Middlemore was now sent to see Mary, and go on to Murray. As Mary found his messages dilatory and discouraging, she avowed that she "had no judge but God." Elizabeth was allowing Murray to come, as an accuser, into her presence. Mary, the accused, she would not admit. Mary expressed her desire to meet Lethington and Morton, before Elizabeth, face to face.[65] She openly said that she would prove the guilt of Lethington and Morton as to Darnley. Nothing of her prayers was ever granted: the entire proceedings were a tissue of duplicity and dishonour. Mary's attitude throughout is expressed in one line, "I have offered you Westminster Hall." There, before the peers of England and the foreign ambassadors, she would retort on and expose her guilty accusers. She would accuse her rebels face to face, but she would not plead her own cause against them. Yet she drifted into the shuffling inquiry which followed.

Leaving Carlisle, Middlemore joined Murray, who was persecuting Herries and Lochinvar in Galloway. Murray informed Elizabeth that, as she meant to hold a solemn trial, he and his allies were loath to accuse their queen. But what would Elizabeth do if they proved their case? Would the casket letters, of which he had sent a Scots translation, by John Wood, his retainer, be held as full proof if the originals, when presented, agreed with the translations.[66] Murray's proposal is of June 22. On June 19 du Croc reported that Elizabeth had publicly discoursed with Herries. She said that she was determined to restore Mary, or reconcile her to her lords. She therefore wished each party to send to her one commissioner. Herries said that he did not think Mary, a sovereign herself, would accept Elizabeth as a judge. He was ready to assent to a visit by Murray and Morton. They would be answered, if they spoke of the murder.[67] On June 28 Herries wrote to Mary. Elizabeth had said that she would never act as judge, but would do for her what she would do for herself (restore her), or make a reconciliation. At a meeting with Elizabeth (June 22) Herries made (and he reports to Mary) this strange inquiry: "Madame, if, which God forbid, there were appearance otherwise" (namely, against Mary's innocence), "what then?" "Still," said Elizabeth, "I would do my best for a reconciliation, consistent with her honour and safety."[68] Nothing, of course, can raise a stronger presumption of Mary's guilt than Herries's "s'il y'avoit autrement? que Dieu ne veuille!"

But Mary now thought herself safe, Elizabeth, in any case, would befriend her, and thus she drifted into an arrangement which she

expected to end in a compromise to be managed by Elizabeth for her restoration. Under this delusion she submitted to what she could not resist, removal from Carlisle, so near the freedom of the friendly Border, to Bolton, near York, where neither Buccleuch nor Ferniehirst could rescue her. Thither she was taken by Knollys on July 13. The least disreputable of Bothwell's friends, Riccartoun, attended her: at Carlisle one of Bothwell's lambs, one of the actual murderers, "Black Ormiston," had been wont to visit her—so Willock averred. She had not yet cast off Bothwell. In precisely the same way a member of the band to murder Darnley was in favour with Murray, to the general disgust.[69] While she now amused Knollys and Elizabeth by playing at Anglicanism, and at a purpose to substitute the surplice, in Scotland, for the Genevan gown; while she was writing in half-friendly fashion even to Murray,—she was at the same time appealing for aid to all Christian princes; she was assuring the Queen of Spain that her presence in England helped the Catholic cause, which she would never desert; and, in an hour of wild hope of French assistance, she was urging her Scottish partisans to secure her child, and take and slay her chief enemies.[70] We are not to ask for sincerity from a betrayed prisoner, but we may admire the dauntless confidence of Mary in her emissaries. Herries was communicating to Huntly the terms on which he expected Elizabeth to pilot Mary through the breakers, "after this reasoning" with Murray or his commissioners (July 31). Scotland was an armed anarchy, barely checked by Elizabeth's and Mary's orders for a provisional peace. But Murray held his Parliament on August 16, forfeited Hepburns and Hamiltons, safeguarded himself for his sale of Mary's personal property, her jewels, and passed persecuting statutes.[71]

Mary appointed Châtelherault, still in France, as her lieutenant of her realm. "Howsoever I be kept a prisoner," she told Knollys, "yet my party will stand fast against my lord of Murray."[72] Not a jot did she bate of hope or heart: she was in the toils of Elizabeth and of Fate, but she could only be tamed by death. "Sincere" she was not: who could be sincere when matched with the inveterate mendacity of Elizabeth? Mr Froude observes: "To the French Ambassador, to de Silva, and Lord Herries, Elizabeth distinctly and repeatedly said that at all events, and whatever came of the investigation, the Queen of Scots should be restored. She made this positive declaration because, without it, the Queen of

Scots would not have consented that the investigation should take place. Yet a memoir of Cecil, dated on the 23rd of September, states, with an emphasis marked by the underlining of the words, that "*it was not meant, if the Queen of Scots should be found guilty of the murder, to restore her to Scotland, however her friends might brag to the contrary.*"[73] Cecil said more than Mr Froude has quoted. In *any* case Mary was to remain a prisoner at Elizabeth's pleasure. *Let none of them escape* was the ceaseless refrain. "Nor shall there be any haste made of her delivery," wrote Cecil, "until the success of the matters of France and Flanders be seen."[74] Mary might have been innocent: guilty she was never proved to be in the shambling and shuffling inquiry. But, guilty or innocent, *Let none of them escape!*

While the queens were rivalling each other in lack of sincerity, the arrangements for a meeting of envoys of both parties at York, before Elizabeth's commissioners, drew to their close. Elizabeth had appointed three representatives, Norfolk, Sussex, and Sadleyr, who had no love of the perilous task. Their instructions bore that if mere presumptions of guilt were alleged against Mary, Elizabeth would need to think about restoring her. But if plain proof be brought, Elizabeth will regard Mary as "unworthy of a kingdom."[75] Many stipulations were made in case an agreement was concluded, but these, of course, came to nothing. In Mary's instructions the point of interest is her remark on incriminating writings of hers which her rebels may say that they possess. Her commissioners must demand the production of the originals for her own inspection, and reply, "For ye shall affirm in my name that I never wrote anything concerning that matter to any living creature. And if any such writings be, they are false and feigned, forged and invented by themselves; . . . and there are divers in Scotland, both men and women, that can counterfeit my handwriting, and write the like manner of writing which I use as well as myself, and principally such as are in company with themselves."[76] Mary refers to the new-fashioned Italian or Roman hand, which Murray did not write, though Bothwell did. Perhaps this is the only passage where Mary deliberately and publicly denounces the letters as forgeries. But then she never, despite her earnest entreaties, and even applications to the French Ambassador, was allowed to see the alleged originals of the letters. The lords of her party on September 12, 1568, declared the letters forged, or garbled "in substantious clauses."

On October 6 Elizabeth's representatives reported preliminary discourses with Mary's men, chiefly Bishop Lesley (who had no belief in her innocence, and no courage) and Herries, and with Murray and Lethington. With these, among many others, was George Buchanan, who had taken the part of an accusing advocate. His 'Detection' and his 'Book of Articles' already existed, it is probable, in manuscript; early forms of them are in the Lennox MSS., and are very instructive. Lennox himself was in York; since June he had been drawing up indictments against Mary; drafts of these, with many variations and some absurd mythical inventions, exist in MS. in the University Library at Cambridge. Murray and Lethington, very early in the proceedings at York, spoke of what they could reluctantly reveal, if they must. The necessity would arise if Mary did not accept an arrangement by which she should reside in England, with a large pension (in addition to her dowry from France), while Murray would keep the regency. This is stated by Robert Melville, who managed the transaction. The MS. of this report is unluckily fragmentary.[78] Mary's lords accused Murray and his accomplices of rebellion. Murray then asked to be told, among other things, how Elizabeth would act if Mary were proved guilty. Would she hand her over to him, or would she hold her a prisoner? On October 11 Lethington and Buchanan, unofficially, showed the English lords the casket letters. Doubtless they saw the originals, but their extracts were made from the Scots translations.[79] Norfolk and the others were horrified, and expressed their feelings in a long letter, which they altered in passages, so as not to indicate complete conviction.[80]

Now Mary, up to this moment, had reason to think Norfolk favourable to her, and the idea of their marriage had been mooted. Lethington, by showing the casket letters, and by letting Lesley and Boyd, and, through them, Mary, know that he had done so, had put pressure on Mary. She would be more likely to accept a compromise, the letters would be hushed up, and nothing would come out to implicate Lethington himself. But it was also his game that Norfolk should marry Mary. He therefore, during a long ride with Norfolk (October 16), deliberately shook his belief in the letters, as Norfolk later confessed; urging, apparently, the ease with which Mary's handwriting could be imitated.[81] During the same ride Norfolk told Lethington that it was Elizabeth's

secret design to make Mary's accusers say their worst, which did not suit Lethington: for if Mary were allowed to reply, she would certainly convict *him* of a share in Darnley's death. What did suit Lethington was a quiet compromise, Mary wedded to Norfolk, and, as to himself, silenced by gratitude, and the necessity of never reopening the dangerous question. Lethington's plan was astute: he well knew Mary's ardent hatred of himself, her ungrateful and treacherous Minister, whose very life she had saved, and who had then turned against her. But Lethington had succeeded only too well in shaking Norfolk's belief in Mary's guilt. The Duke presently bade Mary refuse all compromise, not wishing to marry a bride with such a stain on her reputation. This we learn from Robert Melville's MS., already cited. Lethington had overreached himself. This interpretation of his strangely tortuous action is unfamiliar to our historians, and is offered as not an inconsistent hypothesis on the evidence.

Meanwhile Norfolk was dealing secretly with Murray, to what extent is doubtful, as to his own marriage with Mary.[82] Sussex (October 22) wrote to London, expressing his strong opinion that Mary's defence, and her accusation of her accusers, "will judicially fall out best."[83] Sussex thinks that, for dynastic reasons, Murray and Lethington will use Robert Melville "to work a composition," the regency being confirmed to Murray. "Neither will Murray like of any order whereby he shall not be Regent styled," despite his lack of ambition. Murray and the Hamiltons "care neither for the mother nor the child (as I think before God), but to serve their own turns." In any case, Sussex would have Mary detained in England. Elizabeth, "by virtue of her superiority over Scotland" (the old song!), may find Mary guilty, if Murray proves his case. But Sussex fears that Murray cannot prove his case; that it will not "fall out sufficiently (as I doubt it will not) to determine judicially, if she denies her letters." This is probably the best evidence of the weakness of proof from the casket letters. If Mary denies them, they are, Sussex fears, not potent evidence. Unsigned, and undirected, proof would rest on handwriting, or on evidence of the bearers. Of these, Beaton was with Mary at Bolton. Where was the other, Paris, Bothwell's servant? On October 30, a week after Sussex wrote, John Clerk, an agent of Murray, acknowledged receipt of the person of Paris at Roskilde, in Zealand. He was not hurriedly conveyed to England as a witness. According to

Murray, he did not arrive in Scotland till June in the following year; and (after confessions) he was executed at St Andrews on August 16, 1569.[84] Thus the lords had no evidence except the casket letters, which Sussex thought inadequate, and certain to be met by a stronger counter-charge.

At this moment Elizabeth seems to have heard the rumour of Norfolk's marriage with Mary,—an amazing marriage indeed, after Norfolk's letters of October 11.[85] If so, nothing appears of it in her letter to Norfolk of October 16. She transfers the case to London. Mary's commissioners are to be flattered with hopes, and imagine that only her restitution is intended.[86] On October 22 Mary wrote to Elizabeth, assenting to the change, but refusing to discuss *new* propositions, if advanced by her adversaries.[87] Mary now sent Robert Melville to Elizabeth.[88] At Hampton Court, on October 30, Cecil and the Privy Council were arranging traps for the Scots of both parties. Mary's commissioners were to be put off with generalities, lest they should suspect a regular inquest and break off. Murray's representatives were to be told that they were in no danger from Elizabeth, if they produced good evidence, and that Mary, in that case, should not be restored; but even this promise was to be "hedged." Mary, for fear of escape, ought to be taken to Tutbury. Additional peers were to be called in, if Murray produced valid proof. Was it necessary that Mary, on demand, should be heard in person? In that case some expert in civil law should be consulted.[89] Experts *were* consulted. They, or some of them, decided that all Mary's demands for a public hearing, in London, before Elizabeth, the peers, and the French and Spanish Ambassadors, ought to be granted. They were never granted.[90] The refusal was an infamy. On November 22, from Bolton, Mary wrote to her commissioners. The York Conference, she said, had been only for reconcilement and reconciliation. Now the commissioners may approach Elizabeth, and say that Mary is still ready to be reconciled, saving her crown and honour. If this is not accepted, her commissioners are to break off negotiations.[91] Mr Froude represents this as "sending word to Murray."[92] On the same day Mary sent her friends their commission. If Murray is admitted into Elizabeth's presence, so must she be. She will appear publicly, as the experts declared that she ought to be allowed to do. Now she is a prisoner, and remote: if she is not admitted, her envoys must break off the negotiations. These things were written

after Mary learned, on November 21, from Hepburn of Riccartoun, that Elizabeth was "bent much against her," and thought of removing her from Bolton.[93] Obviously she was wise, in the circumstances, when she made her demands.

Meanwhile Murray, on arriving in London, found that his own affairs were perplexed. According to Robert Melville, in his MS. deposition, the alliance struck between Murray and Norfolk at York had been betrayed to Elizabeth, while Mary informed Melville, as we saw, that a message to her from Norfolk forbade her to resign her crown. Was Murray to betray Norfolk, or to break with Morton (who was all for an extreme course), and disoblige Elizabeth, by keeping back his accusations? He waited on events. On November 23, at Hampton Court, the parties met Elizabeth. Mary's letters (November 22), of course, had not reached Lesley and the rest. Châtelherault was present. Mary's men demanded Mary's admission: as Murray had already seen Elizabeth. Protests against judgeship by Elizabeth were made, and accepted.[94] On November 26 Murray was assured that, if Mary be found guilty, the proceedings of the lords would be approved, and James regarded as king, Murray as Regent. These concessions were carefully "hedged," but the purpose of judging and trying Mary was avowed.[95]

There followed an extraordinary scene. After Murray, as usual, had expressed reluctance, he produced his "eik," or addition to his charges, a formal accusation of Mary.[96] It is Sir James Melville who tells how Wood, a creature of Murray, had this document "in his bosom"; how the Bishop of Orkney snatched it from him; how, amidst laughter and banter, the deed was done at last. Lethington, who was outside at the moment, came in and told Murray that he "had shamed himself." All but Lethington were laughing, and Murray went to his rooms "with tears in his eyes."[97] On November 29 Lennox appeared as an accuser of Mary. Mary's commissioners were shown the "eik," and asked for time to consider it. Lesley consulted the French Ambassador, La Mothe, who glanced at the hypothesis that Mary had been "bewitched," but advised delay. On December 1 Mary's men cited her open instructions, not her letter as to a compromise of November 22, reiterated her appeal to be heard, and asked for an interview with Elizabeth. On December 3 they visited her at Hampton Court. The conference, they said, had been broken by Murray, but the

slander remained. They demanded the arrest of Murray's party and the admission of Mary to a free hearing.[98] Elizabeth next day said that she must first hear the lords' proofs. Mary's commissioners declined to proceed on these terms.[99] So far, Mary's commissioners were in the right. The meanest amateur of petty larceny could not be tried on the conditions proposed for their queen. But as she was absent, as communication could not be held with her save after long delays (part of the infamous injustice of the whole proceedings), they ventured on ill-advised steps.

First, before seeing Elizabeth, they had held a private interview with Leicester and Cecil. Here they once again spoke of a reconciliation, and asked Cecil to carry their words to Elizabeth. Cecil carried the commissioners to Elizabeth; they repeated their desires for accommodation. Throughout, Lesley and Herries did not behave as if convinced of Mary's innocence. "*Suppose, which God forbid, appearances are otherwise!*" But had they known her stainless, it was still their interest to end a discussion which would certainly never be handled with common fairness and honour. Their proposal for a reconciliation gave Elizabeth her chance. It would be inconsistent, she said, with her sister's honour. So it would have been, if her sister was to have a fair common chance of retrieving her honour. But against *that* the determination of Elizabeth was adamant. She promptly involved herself, to be sure, in a contradiction in terms. She told the commissioners, now that "I think it very reasonable that she should be heard in her own cause, *being so weighty*," now that she did not wish Mary to appear in person, "without their accusation might first appear to have more likelihood of just cause than she did find therein."[100] Such, at least, is the story of the Scottish negotiators. The case was at once so weighty that Mary ought to be heard, and, so far, seemed so ill bottomed that Mary need not take the trouble to appear.[101]

Mary's commissioners replied that their last request for a reconciliation was of their own motion. Mary did not, and could not, know anything of the matter. Mary herself, we know, had told Knollys that, if charges against her were once made, "they were past all reconciliation." On December 6 Mary's commissioners begged that proceedings might be stayed till they heard from their mistress, and put in a protest that she could not be compromised. That "probation" should be taken by Elizabeth, of Murray's charges,

before Mary was summoned, they justly declare to be "preposterous." Cecil and his assessors refused to listen to this: Lesley and his friends were obliged to withdraw to amend their protest, and before the English would receive it, Murray, Morton, and the rest came in, and Morton made his declaration as to how he obtained the casket with the letters.[102] Then the chivalrous Murray and his friends, expressing their absence of pleasure in their duty, produced, first, a book of "Articles containing certain conjectures, presumptions, likelihoods, and circumstances," making the guilt of Mary seem probable.* What these Articles were, in what terms the lords accused Mary, and by what arguments, we are not allowed to know. Documents, indeed, exist, but (as may be seen in the footnote) the accuracy of criticism will not permit us to allege that the lords relied on these inconsistent and incorrect attempts

* This document has been published by Mr Hosack from a manuscript at one time in the possession of Lord Hopetoun, and now in the British Museum (Add. MSS., 35,531). Mr Bain, in his Calendar (ii. 555-559), says that, in his opinion, the MS. is in the hand of Alexander Hay, the Clerk of the Privy Council. A writer in the 'Quarterly Review,' January 1902, p. 240, says that it bears no indorsement or authentication of any kind to indicate that it was ever adopted or approved by the Scottish commissioners who went to York and Westminster, or by any other body, or that it was ever laid before a court or conference of any description. We know that "articles" against Mary *were* put in, and this document, apparently in the hand of the Clerk of Council, is the most elaborate form of such articles now known. Others exist in the Cambridge MSS. with the papers of Lennox. The articles bear traces of the influence of the never-produced letter which Murray in 1567, and Lennox in 1568, quoted from, as if it were by Mary, though the writer of the articles also knows our casket letter ii. It will be seen that the lords have no established official connection either with Cecil's copy of the Ainslie band, or with this document published by Mr Hosack as the "Book of Articles," or with the chronological list of events called "Cecil's Journal," or "Murray's Diary." Thus, by way of representing their charges against Mary, we have nothing indorsed as official, nothing to which we can pin them down. It is always possible, and, in the lords' interest, it is highly desirable, to disconnect them from "Cecil's Journal" and the "Book of Articles." Both, like Buchanan's 'Detection,' are open to destructive criticism; indeed Buchanan's 'Detection' now agrees with, now varies from, the "Book of Articles." As to that document, Mr Hill Burton writes: "If this paper really was the one tabled by Murray's party, it does little credit either to their honesty or their skill." Meanwhile we shall not criticise the thing; but the lords prosecutors have left nothing better by way of an accusation of Mary. If they ever "found a set of articles to satisfy them" (in the words of the 'Quarterly' reviewer), they have not bequeathed that valuable document to us; and if they were content with the 'Articles' and 'Diary' that have reached us, they were very easily satisfied. The papers are worthless, and, if put forward by the lords (as I do not doubt that they were), are fatal to their case.

at demonstration. What they did rely on, of this kind, must remain a mystery.

On December 7 the English Commissioners, in answer to a question of Murray's, declined to say whether they were satisfied by the arguments in the Articles or not. The casket was then produced, and Morton swore to the veracity of his account of its discovery. Two contracts of marriage between Mary and Bothwell, found in the casket, were then produced, and casket letters i. and ii. in French. On December 8 the other six casket letters and the "sonnets" were shown, copied, and collated. Next came the depositions, under examination, of Bothwell's accomplices,—Talla, Powrie, Dalgleish, and Bowton. The deposition of Bowton was mutilated, to shield Murray's associates.[103] On December 9 the Commissioners read the casket letters, "duly translated into English." They were very badly translated, in two cases not from the French; the Scots translations were merely anglicised.

On December 9 a written deposition by Nelson, a servant who escaped unhurt from Kirk-o'-Field, was put in. Then came a written deposition by a retainer of Lennox, Crawford, who had been with Darnley when Mary visited him at Glasgow in January 1567. Crawford's business was to corroborate the account of a conversation between Mary and Darnley which Mary is made to describe in the second casket letter. His deposition rather invalidates the authenticity of the letter than otherwise.[104]

Finally, at Hampton Court, on December 14, six great peers being added to the commissioners, a summary was given of the proceedings at York and Westminster, and the originals of the casket letters were compared with genuine letters by Mary. "No difference was found," says Cecil.[105] We hear of no other examination of handwriting, nothing but this scrutiny on almost the shortest day. We shall later find that in another case (1609) letters, *confessedly and undeniably forged*, deceived seven honest witnesses, familiar with the hand of the alleged writer, and bringing into court genuine letters of his for comparison (see Appendix B., "Logan of Restalrig and the Gowrie Conspiracy"). On the following day (December 15) the Articles (whatever they may have been) were read, "a writing in manner of Articles." Whether they were Mr Hosack's published "Book of Articles," or a set more logical, lucid, and accurate but no longer to be found, we do not know, though the present writer has no doubt that the Articles read were the

Articles published. Some other papers, and a new statement by Crawford, followed. Crawford reported that Bowton and Talla, on the scaffold, confessed to *him* that Mary urged Bothwell to slay Darnley.[106] This special confession, to a friend of Darnley, is not referred to elsewhere. It may have been noted that Lennox, by aid of Crawford, and certainly of Buchanan (who undeniably had access to Lennox's papers), played a great part in the prosecution. After these two days spent in the rapid investigation (too rapid, for who could criticise a set of Articles merely read aloud?) the nobles were told that Elizabeth, in the painful circumstances, could not admit Mary to her presence. The lords agreed, "as the case now did stand," the rather as "they had seen such foul matters." And that was all.[107]

An inquiry more disgraceful was never conducted on an absent prisoner. Guilty or not guilty, Mary was foully wronged. Without dwelling further on meetings, discussions, and equivocations, it must suffice to say that efforts were then made to frighten Mary into resigning her crown. Of the means to this end a list, in Cecil's hand, is extant.[108] Mary was not to be terrified; her last words, she said, would be the words of a Scottish queen. On January 10, 1569, Murray and his allies were told by Elizabeth that, while nothing to their discredit was proved, they had produced no evidence "whereby the Queen of England should conceive or take any evil opinion of the queen, her good sister, for anything yet seen."[109] As Murray construed all this: Elizabeth "allowed their doings, with promise to maintain the king's government, and our regiment." So he wrote to the laird of Craigmillar.[110] That was practically the result. It was the fate of Elizabeth and of Murray to make Mary's appear the better cause by the incredible dishonesty and hypocritical futility with which they handled her case. Murray was to resume his regency: Mary was to be a prisoner,—a discredited prisoner, as Elizabeth hoped. Then began new scenes of intrigue.

NOTES TO CHAPTER VIII.

[1] Laing, ii. 325. Henderson, Casket Letters, p. 115; Morton's account of the discovery of the casket.

[2] Laing, ii. 295, 296. [3] Labanoff, ii. 3, 4.

[4] Stevenson, pp. 173, 176. [5] Privy Council Register, i. 498.

[6] Privy Council Register, i. 500. [7] Hosack, i. 282-286.

[8] Cf. Drury to Cecil, April 15, 1567, Cal. For. Eliz., viii. 207.*

[9] Drury to Cecil, Border MS., Tytler, vi. 99; Calendar, ii. 319, 320.

[10] Knox, ii. 539. [11] For. Cal. Eliz., 1566, p. 212.

[12] Act Parl., ii. 546 *et seq.* [13] Stevenson, p. 175.

[14] Calendar, ii. 317.

[15] Morton Papers, Bannatyne Club, i. 19; Hosack, i. 293.

[16] Keith, ii. 562-569; Hay Fleming (on the whole subject), pp. 446, 447.

[17] Spanish Calendar, i. 662.

[18] Anderson, i. 112; Calendar, ii. 322; Keith, ii. 562-569; Goodall, ii. 87, where the production of the warrant at Westminster seems to be asserted by the Scottish commissioners.

[19] Calendar, ii. 341. [20] Calendar, ii. 322.

[21] For. Cal. Eliz., 1566, pp. 213, 214. [22] Calendar, ii. 323.

[23] For. Cal. Eliz., 1566, p. 224. [24] Labanoff, ii. 41.

[25] For. Cal. Eliz., 1566, p. 215.

[26] Lost Chapter in the History of Mary Queen of Scots discovered.

[27] Teulet, ii. 155. [28] For. Cal. Eliz., viii. 223-225.

[29] Privy Council Register, i. 520. [30] Teulet, ii. 152-182.

[31] Laing, ii. 113 *et seq.* [32] Teulet, ii. 244.

[33] Melville, pp. 183, 184, 1827.

[34] Teulet, ii. 169. Lethington said that Mary spoke to him from her window. This, on June 17, he told to du Croc. Compare Claude Nau, pp. 46-48. See also 'Mystery of Mary Stuart,' p. 382.

[35] Teulet, ii. 170. The references to the various documents may be found in 'The Mystery of Mary Stuart,' pp. 188-192, 360, 362.

[36] Laing, ii. 114, 115. [37] See Morton in Calendar, ii. 730.

[38] Laing, ii. 249-251.

[39] Spanish Calendar, i. 657-659; Bain, Calendar, ii. 336; For. Cal. Eliz., ix. 354, 355.

[40] Privy Council Register, i. 530. [41] Stevenson, p. 220; Calendar, ii. 355.

[42] For. Cal. Eliz., 1566, pp. 297, 298. [43] Calendar, ii. 368.

[44] Diurnal, p. 119.

[45] August 9, Calendar, ii. 374, 375. Mr Hosack disbelieves these statements.

[46] Calendar, ii. 380. [47] See Appendix A., The Casket Letters.

[48] Keith, ii. 734-739; Hosack, i. 367-370. [49] Keith, ii. 739.

[50] Froude, viii. 250. [51] Keith, ii. 742-744.

[52] See Anderson, ii. 206-230; "Collections relating to the History of Mary," 1727.

[53] For. Cal. Eliz., 1567, pp. 366, 367. [54] Diurnal, pp. 127, 128.

[55] Anderson, ii. 253. [56] Teulet, ii. 941. [57] Teulet, ii. 214.

[58] Teulet, ii. 204. [59] Hay Fleming, pp. 486-488, 512-514.
[60] This account follows Mr A. M. Scott's 'Battle of Langside' (Glasgow, 1885). Mr Scott has local knowledge, and supplies a useful map.
[61] Calendar, ii. 411. May 19. [62] Calendar, ii. 439.
[63] Calendar, ii. 414-426.
[64] Calendar, ii. 429. June 12, Herries to Leicester.
[65] Calendar, ii. 433-435. [66] Calendar, ii. 441, 442.
[67] Teulet, ii. 227, 228. [68] Teulet, ii. 237.
[69] Drury to Cecil, July 10, For. Cal. Eliz., viii. 496, 497.
[70] Labanoff, ii. 166-188; Calendar, ii. 464-480.
[71] Calendar, ii. 479. [72] Calendar, ii. 457.
[73] Froude, viii. 382, 383. [74] Calendar, ii. 510.
[75] Calendar, ii. 511. [76] Goodall, ii. 337-343.
[77] British Museum, Titus, c. 12, fol. 157.
[78] British Museum, Additional MS., 33,531, fol. 119 *et seq.*
[79] Goodall, ii. 148-153; Haynes, pp. 480, 481.
[80] Calendar, ii. 526-528; Hosack, ii. 496-501, with the original text restored.
[81] Goodall, ii. 162-170; Mystery of Mary Stuart, p. 258, note 2; Camden, Annals, pp. 143-145; Laing, i. 226; Mystery of Mary Stuart, pp. 357, 358.
[82] Bain, Calendar, ii. 693. [83] Hosack, i. 518-522.
[84] Hosack, i. 250, noted; Laing, ii. 269.
[85] Froude, viii. 406, citing Simancas MSS. [86] Calendar, ii. 533.
[87] Labanoff, ii. 219 *et seq.* [88] Calendar, ii. 541.
[89] Goodall, ii. 179-182. [90] Fénelon, i. 51. [91] Goodall, ii. 183, 184.
[92] Froude, viii. 453. [93] Knollys to Cecil, Calendar, ii. 551.
[94] Goodall, ii. 187-189. [95] Goodall, ii. 201, 202.
[96] Goodall, ii. 206, 207. [97] Melville, pp. 210-212.
[98] Goodall, ii. 218-221. [99] Goodall, ii. 221-223.
[100] Goodall, ii. 222-226. [101] Hosack, i. 424-426.
[102] Goodall, ii. 228-231.
[103] Mystery of Mary Stuart, pp. xiii-xviii, citing the Cambridge MS.
[104] Appendix A., The Casket Letters. [105] Bain, ii. 579, 580.
[106] Calendar, Bain, ii. 581. The matter of Crawford's deposition I take from the papers of Lennox in the Cambridge Library, unpublished. See 'Mystery of Mary Stuart,' p. 280, and note.
[107] Goodall, ii. 257-260; Bain, ii. 580, 581.
[108] Goodall, ii. 274-277, 295-297. [109] Goodall, ii. 305.
[110] Goodall, ii. 306.

CHAPTER IX.

REGENCIES OF MURRAY AND LENNOX.

1568–1572.

THE only point of national importance in the murderous intrigues between the death of Riccio and Mary's flight to England was, that Protestantism in Scotland now breathed more freely. The incubus of a Catholic queen was removed from Presbyterianism. But while the evolution of Presbyterianism towards a theocracy was the trend of the current of national life, the deep main stream was broken, thwarted, and parcelled by the obstacles of new personal and party intrigues. These have no historical interest except as illustrations of the treachery and ferocity which, here as in the Corcyra of Thucydides, were bred by revolution. A creed, an order of society, had been overthrown: the men who survived among its ruins were, whatever their nominal shade of theological opinion, selfish, false, bloodthirsty, desperate, almost beyond parallel. The only partisans who held a straight course were men like Craig and Knox, and the other leaders among the Presbyterian clergy. They knew what they wanted, and what they did not want: their motives were national and theological, not merely personal or dynastic. The triumph of the Kirk and of a severe morality they desired: as to Mary, the stake or the block were all that they would consent to grant her; though, perhaps, some of them wavered at one juncture.

Mary was now an exile, a prisoner, and discredited, Elizabeth hoped, by the public inspection at Hampton Court of the casket letters. But not even yet could Presbyterianism, still less could Elizabeth, feel secure. The scene at Hampton Court had been but a shadowy triumph. We do not know what the assembled

English nobles really thought as to the genuineness of the casket letters. They pronounced no opinions.[1] Mary persisted in asking for a view of the letters: her entreaties were backed by those of the French Ambassador. At one moment he thought that Elizabeth had consented; but no, the Scottish queen was denied the right of the humblest accused person.[2] In these circumstances, no just man could conclude, on the evidence of the letters shown at Hampton Court, that she was guilty. As we show later, in another case, the forgers were too skilful for the experts of that age, or at least for persons perfectly familiar with the handwriting of an accused man whom forgers implicated in crime.[3] On the other hand, the actions of Mary's agents, Lesley and Herries, provoked suspicion. They were obviously unconvinced of her innocence. They misread or did not choose to act on her instructions. She said that she would accuse her accusers *after* she had once seen the originals of the papers on which they based their charge. Herries at once brought a vague accusation against the accusers; this led to those offers to settle the question by single combat, which then were frequently exchanged, but almost never acted upon.[4] There was a deadlock. Mary would take no steps without seeing the *pièces de conviction*, and these she never saw.

The problem of the disposal of Mary was as threatening as ever. She had assuredly not been found guilty, and the cloud under which she lay was so thin and fleeting that the old question of the succession to Elizabeth was already being complicated with Mary's existence and her claims. No one knew this better than Cecil. On December 22, a week after the scene at Hampton Court, he set down his projects and his perplexities on paper. Mary was, he said, "a lawful prisoner." She must repair her wrongs to Elizabeth (her pretensions to the English crown) before she could be allowed to depart. Elizabeth has "just claim to superiority over Scotland." Mary "is bound to answer her subjects' petitions," those of Murray and his accomplices. Mary's guilt will be published to the world: if she proves that Murray, or his party, are also guilty, that will not clear her. These and other threats are to be used for the purpose of driving Mary into a compromise. She must, under these menaces, assent to certain propositions: "the child" (James VI.) "being for education brought to England."[5]

The threats were hinted to Mary, by Elizabeth, in a letter of December 21. Lesley, Bishop of Ross, was highly praised, the

idea being that Lesley and Knollys, Mary's jailor, would induce her to accept Cecil's propositions.[6] These were—

1. That Mary should ask leave to stay in England; that her son, though remaining king, should be educated in England; that Murray should remain Regent.
2. Or, Mary shall remain titular queen: if James dies young, "then the Government shall be in her name"; if she dies first, James and "her issue" shall retain the crown.
3. Or, Mary shall be titular and actual queen, joined with James in the title; Murray continuing Regent till James is eighteen.

Mary is to be removed to Tutbury and more closely guarded: Lesley is to be secretly informed, and urged to persuade Mary to consent.

Mary's commissioners on January 7 declined to carry any such terms to their mistress.[7]

Mary, between the York and Westminster Conferences, had consented to a similar compromise, which she abandoned at the suggestion of Norfolk. But now she had been disgraced by the exhibition of her real or alleged casket letters. Therefore the worst was over. Without an ally, a counsellor, or a friend, Mary stood at bay. She would never yield her crown, "and my last word in life shall be that of a Queen of Scotland."

Lesley, a creeping thing who had never believed in her cause, and whose shufflings had severely damaged it, was employed to whisper assent. On February 10, from her new prison, Tutbury, in the jailorship of Lord Shrewsbury, Mary wrote to Elizabeth: "I pray you never again to permit propositions so disadvantageous and dishonourable for me as those to which the Bishop of Ross has been persuaded to listen. As I have bidden Mr Knollys tell you, I have made a solemn vow to God never to retreat from the place to which God has called me."[8]

To this end had the intrigues of Murray, Cecil, and Elizabeth come. Mary stood on her innocence and her right, and henceforth there would be a queen's party, a king's party, and civil war more or less open in Scotland. Mary, or her agent, despatched letters warning her adherents (with gross exaggerations) that Elizabeth meant to do what Henry VIII. had aimed at while she was a baby, to seize the child prince and the fortresses. The Hamiltons, Argyll, and Huntly were in arms, and though Châtelherault and Herries were still detained in England, Murray would

find the Border beacons lighted as he returned, and ambush laid for him on the English Border by Westmoreland and the Nortons.

This posture of affairs alarmed Murray, who in January still hung, much in debt, about the English Court. From his situation arose a new intrigue. England was seething with plots. Leicester, Throckmorton, and other Protestants were anxious about the succession, and jealous of Cecil. The Northern nobles, no less anxious, but more Catholic, and jealous of Norfolk, worked for a marriage between Mary and Don John of Austria, which could only be secured by open civil war. Norfolk himself was still anxious to wed Mary (though to Elizabeth he denied it), and had a foot in each camp. Elizabeth was being pressed by Spain for restitution of spoils piratically taken by Hawkins. Meanwhile Scotland might be in a flame if Murray did not return, and if he tried to return, his throat would probably be cut on the Border.

In these circumstances Murray approached Norfolk. They had been in touch before at York, when Norfolk distantly hinted at his desire to marry Mary. Murray now proposed to secure his own safe return by reviving the subject, and gaining Norfolk to secure Mary's assent to peace on the Border and to his own safety from Westmoreland. The man who, in company with some of Darnley's murderers, had just accused his sister of Darnley's murder, now sought the grace of the man who had admitted his strong belief in her guilt, and who desired to take her for his bedfellow! The Norfolk marriage could not conceivably be approved of by Murray. Whatever strengthened Mary weakened him, whatever helped her cause threatened Presbyterianism, and Murray was godly. But the danger from the marriage was remote; Elizabeth assuredly would not consent to it: the danger in Scotland, and to Murray's own throat, was imminent. He therefore sought an interview with Norfolk, of which, when Norfolk was under suspicion, Murray later made his own report to Elizabeth (October 29, 1569).

He says that in his private discourse with Norfolk, at York in October 1568, he did not "smell" what the Duke intended; he partly smelt it from the Duke's language, but now he understands. Before leaving England he met Norfolk in the park at Hampton Court, told him that his sister's marriage to a "godly personage" would reconcile him to her, and that, of all godly and honourable personages, he preferred Norfolk. Murray also sent in a letter of Norfolk's, which was produced against the Duke later, at his trial.[9]

Lesley, Bishop of Ross, professing to set forth what Norfolk told him, represents Murray as pressing the marriage on the Duke with great fervour.[10] It is, unhappily, impossible to believe any of the three, when not corroborated. In any case, Murray certainly led Norfolk to believe that he approved of the nuptials, and afterwards revealed the whole (or as much of it as he pleased) to Elizabeth. Among the Lennox MSS. at Cambridge is a curious account of a statement which Murray desired Leicester to impart orally to Elizabeth. It was sharpening the axe for the Duke's neck.

As a consequence of Murray's conversations with him at Hampton Court in the park, Norfolk induced Mary to quiet her own party, sending to her Robert Melville. On January 30 she certainly wrote to Hamilton, Archbishop of St Andrews, bidding her party hold together closely, and watch Murray well, "who, as I hope, will not use extremity so hastily."[11] Probably her hope was based on Murray's conversation with Norfolk. Murray (by February 8) was safely back in Stirling Castle, and if he had any debt of gratitude to his sister, paid it by sending to Cecil a letter from her to Mar of a kind which she could not wish Elizabeth to see.[12] This letter Cecil was to return, as Mar (a man of honour) would not have her letter exposed to her injury. In a week Murray convened the forces of the realm south of Tay to meet at Glasgow, where, in Lennox's absence, Argyll was apt to be powerful: Mary's party, indeed, was attacking Lennox's retainers, especially the laird of Minto, a Stewart, and an active agent for Darnley's father. Murray was also trying to obtain the extradition of Bothwell from Denmark, where, so far, he had been bragging and promising to secure the Orkneys for the Danish crown. By March 11, for which day he had summoned his levies, Murray had to tell Elizabeth of his failures, and of the excesses of Mary's friends. Châtelherault held her commission: the queen's and king's parties were at strife, and Murray was at Stirling. He offered, if the queen's men would acknowledge the king's (that is, his own) authority, to submit all to an assembly of the whole nobility. He uttered a proclamation to the effect that "Satan had persuaded the king's mother to enter England," where he and his party had been honourably acquitted of all wrong, in consequence of their accusing her of murder, a fact proved by her letters. All this proclamation is put into the mouth of her innocent child.[13] Thus disinterestedly had Satan worked for the triumph of the godly.

Articles of compromise were drawn up, but never agreed upon, by the queen's lords at Glasgow (March 13).[14] But at Stirling Cassilis, Herries, and the Archbishop of St Andrews entered themselves as hostages to Murray (March 14), so says the 'Diurnal'; but Murray names Châtelherault in place of the prelate. A convention of the nobles was fixed for April 10 at Edinburgh.[15] Murray then executed justice on robbers on the lower Tweed, and released Lord Seton, who had been his prisoner. At the Edinburgh Convention of April 10 Herries was seized and imprisoned in Edinburgh Castle; Châtelherault followed him thither, and Murray had thus executed a *coup d'état*.[16] His excuse was that they declined to sign a paper acknowledging the king. Murray had just sent his favourite agent, Wood, to Elizabeth, who doubtless "allowed" his new proceedings. Mary deeply regretted the events. She had hopes from France, however —the eternal vain Stuart hopes. Among the English nobles there had been a plot to arrest Cecil and marry Mary to Norfolk; and Norfolk was also mixed up in another plot, to reach his ends by the aid of Spain and the Spanish Ambassador. Cecil discovered, and with much tact stopped, the perils to himself: Norfolk's marriage project remained alive, flattered by many of the English lords, and by Mary's old friend, Throckmorton, but concealed from Elizabeth. For the success of these schemes it seemed desirable that Mary should become an Anglican: she actually listened to three weekly British sermons all through Lent; and even Mr Froude, usually pitiless, writes, "It is frightful to think of what she must have suffered."

Despite, or in consequence of, Murray's *coup d'état* in Scotland, despite Huntly's surrender to him on May 10, Elizabeth began once more to try to emancipate herself from her embarrassing captive. Lesley, who was deep in the intrigues against Cecil, with Norfolk, and with the Spanish Ambassador, de Guereau, was chosen to negotiate with Elizabeth for Mary's release. He says that he drew up a long list of articles. They secured the English succession for Mary, and restored her, with an amnesty, and punishment of Bothwell, if he was extradited.[17] Cecil offered other projects, only one of which was a slight advance on what Elizabeth had vainly suggested after the reading of the casket letters. Mary, writing to Châtelherault, bade him be of good hope. To La Mothe Fénelon she said that, whatever promises she might sign to get out of England, she would always be France's friend.[18] She

had a slight illness after taking medicine, and, perhaps lest she should be accused of poisoning her prisoner, Elizabeth seemed ready to let her go. Certain articles were sent by Elizabeth to Murray in the care of John Wood, an extreme Puritan and deadly enemy of Mary. At the same time Mary sent, by Lord Boyd, to her party the Duke of Norfolk's marriage proposals. She had not accepted them with enthusiasm, though backed by Leicester, Pembroke, and most of the English Council. To win Norfolk meant, for Mary, to lose France and Spain; moreover, she would not wed Norfolk without Elizabeth's consent. Meanwhile Elizabeth was not apprised of the Norfolk marriage,—her lords seem to have expected the idea to be mooted to her by Murray. But Murray was putting down the North, reducing Huntly to obedience, insulting Mary in proclamations, and in no mood to secure her freedom, or comply with the suggestions carried to him by Wood (May 16).[19]

Though Wood was despatched on May 16, he does not seem to have hurried, for Murray, at Aberdeen, did not answer Elizabeth till June 5. He said that Elizabeth's ideas of the terms for Mary's release were "utterly unlooked for," which might be rendered "utterly unwelcome." He asked for delay; he would try to find a fit negotiator.[20] He sent Wood to Lethington (June 10), who was at home, suffering from "an infirmity in his feet," the beginning of his fatal paralysis. Wood informed Cecil that Lethington was willing to come as negotiator "if other impediments do not hinder." Murray was "driving time" as to arranging the unwelcome compromise on which Elizabeth was insisting. Murray also wrote to Norfolk in such terms that Norfolk tells him on July 1, "You have not only purchased a faithful friend, but also a natural brother"—that is, brother-in-law. Norfolk says that he is betrothed to Mary; he has gone so far that he cannot "in conscience" draw back. Indeed we find Mary writing affectionate letters to Norfolk (August 24).[21] The tone of submission is disagreeably like that of the casket letters to Bothwell. But if Norfolk cannot retreat, neither can he go on till Murray removes the "empêchements"—that is, consents to the annulling of Mary's marriage with Bothwell, which now she herself recognised as illegal, a thing she could not well do at Lochleven when she was (Nau says) with child by him. Norfolk therefore asks Murray to make haste, and to receive Mary's commission from Lord Boyd. This was the letter which Murray later

sent to Elizabeth as evidence against Norfolk, his "faithful friend and natural brother."[22] It is evidence that, as late as July 1, Norfolk thought Murray his friend, and an advocate of his marriage with Mary.

Boyd met Murray at Inverness, and Lesley says that Murray received the terms of compromise very well, and called a convention to consider them at Perth.[23] The convention met on July 25-28; but Murray was hesitating, as Throckmorton learned from Wood, and from a letter sent by Lethington. Throckmorton therefore, in a cyphered letter, advised Murray to trust Lethington, "who is undoubtedly the wisest and sufficientest man to provide for him and all the rest. For if he leaves to be advised by him, he and his country will be in the greatest peril and confusion" (July 20).[24] But Murray had made up his mind not to trust Lethington, who was on the side of Mary; for the very good reason (as he told Morton frankly) that he expected her return to power.

Lethington was also much influenced by his wife, one of the queen's Maries; moreover, he was, as the phrase runs, "in a cleft stick." His part in Darnley's murder was well known. Any quarrel with a powerful lord might bring on him an indictment. Mary also held proofs against him, as Wood had informed him on June 11, 1568. But it seemed safer to make his peace with Mary by procuring her restoration (he appears by this time to have received "assurances" from her), than to take the chance of what might come out against him in Scotland. Again he had, for the hour, Elizabeth to back him in Mary's restoration, and he perhaps hoped for the success of his really unique public object, the union of the crowns of the two countries. Throckmorton, who was in favour of the Norfolk marriage to secure the succession, therefore advised Murray to be guided by Lethington. Had Lethington known Mary's mind, he would have learned that he was unforgiven.

A glance at the names of the assembly in Perth (July 28) shows that Mary's enemies were in force. Here were Mr Froude's "small gallant knot of men who had stood by the Reformation through good and evil." There were Murray, Morton, Glencairn, and the Master of Marischal; with Lindsay and Ruthven, Sempil, and the traitor Bishop of Orkney; James Makgill, the enemy of Lethington, and Bellenden, the Justice-Clerk. The burghs, under the influence of the preachers, were hostile, and the Provost of and member for Glasgow was Stewart of Minto, Lennox's trusted retainer,

while Erskine of Dun represented Montrose. On the other side, Argyll, we saw, did not appear; Châtelherault and Herries, taken prisoners "under trust," were locked up in Edinburgh Castle: the temper of the gathering was shown by the fact that Lethington needed an escort of Huntly's and Atholl's men.[25]

Lesley declares that Murray and Wood made a fair show of backing Mary's restoration, but secretly urged their partisans "to cry out against the same."[26] Murray thus saved his credit with Elizabeth. The assembly rejected the proposal for Mary's "equality of government."[27] Mary's demand for an assent to the annulment of her marriage with Bothwell (without which she could not espouse Norfolk) was refused by forty votes to nine, offence being taken at her styling herself "Queen," and the Archbishop of St Andrews "Head of the Church," a truly Stuart-like error of judgment. Lethington argued for Mary against Makgill, and taunted the adversaries with refusing now what they had imprisoned Mary for not granting two years earlier. The Treasurer, Richardson, took note that Lethington, his brother, and James Balfour had "opposed the king's authority," and that whosoever did so in future would be deemed a traitor.[28]

Mr Froude represents Murray as now influenced against Lethington by the statements of Paris, Bothwell's valet, engaged in the Darnley murder. He implicated Lethington, but Murray and every one knew Lethington's guilt. Moreover, Paris was not examined (or, if examined, his statement of an earlier date is not produced) till twelve days *after* the convention at Perth. After the convention was over, on August 9 and 10, Paris was examined at St Andrews, apparently before Wood, George Buchanan, and Ramsay, a retainer of Murray, who wrote the depositions in French.

The whole affair was suspicious. Paris had been extradited, as we saw, and handed over to Clark, captain of the Scots in Danish service, on October 30, 1568. He might have been sent home in time to be examined before the English commissioners in mid-December of that year. Nay, in an early form of Buchanan's 'Detection of Queen Mary,' which was ready in manuscript for the Westminster Commission, it is urged that Paris ought to be produced as the man who knows most about the murder.[29]

But Paris was not produced. He would have exposed the damning fact that some of Mary's accusers and Murray's associates were themselves guilty. According to Murray's report to

Elizabeth, Paris did not reach Leith till June 1569, and his examination was put off during Murray's northern progress. Elizabeth (August 22) tried to stop the execution of Paris. Murray replied that Paris had been executed on August 16 at St Andrews. But Murray, as we shall see, did not send Paris's "authentick" depositions to Cecil till the end of October, when he found that he and Lethington (whom Paris implicated in Darnley's murder) had irretrievably broken with each other.[30]

As for Paris, he had made a declaration on August 9. He then accused Bothwell and others, but not Mary. On August 10, "interrogated," and probably under fear of torture, he accused Mary. His depositions are, in many points, irreconcilable with each other, with probability, and with the dates of events as presented by whomsoever did present "Cecil's Journal." In one or two other points they singularly corroborate statements in the Lennox MSS. Whatever their value as against Mary, the depositions put an invaluable weapon in the hands of the enemies of Lethington, now Mary's chief supporter.[31]

While the charges of Paris hung over the head of Lethington, Elizabeth was upbraiding Murray with his conduct of the assembly at Perth, and with its results. Unless he behaves better instantly, Elizabeth "will proceed of ourselves to such a determination with the Queen of Scots as we shall find honourable and meet for ourselves. . . . We doubt how you will like it" (August 12).[32]

Norfolk also expressed his disgust (August 14). On the 20th August Elizabeth wrote, forbidding Murray to besiege Mary's best strength, the Castle of Dumbarton, held for her by Lord Fleming. Murray replied (September 5) by a temporising letter to Elizabeth from Stirling. On the same day he answered Cecil's remonstrances about Murray's altered behaviour to Lethington. "The fault thereof, as God knows, was never in me."

The bolt had fallen: some news of Paris's confessions had reached Lennox, and Lennox was thought to have caused his retainer, Thomas Crawford, who generally did the denunciations for him, to accuse Lethington. The Secretary, with Atholl and others, had held a Highland hunting meeting near Dunkeld, doubtless for political purposes. They were summoned to a meeting at Stirling by Murray on September 2. Next day Crawford entered the council-chamber, fell on his knees, and impeached Lethington and James Balfour of Darnley's death. This might have been done long ago,

on Hepburn of Bowton's confession, but that had been suppressed by Murray's party. Now was the convenient season. Lethington offered to find sureties for his appearance when summoned; these were refused, and he was locked up in Stirling Castle.[33] Hunsdon thought that he was imprisoned, really, for intriguing on Mary's side north of the Highland line. Lethington, later, learned that Cecil had discovered that Lennox gave Crawford no commission to accuse him. In that case Crawford either acted on his own motion, not on that of Lennox, or was moved by Lethington's many enemies.[34] In no long time Maitland, in Edinburgh Castle, then held by Kirkcaldy of Grange, his friend, was in cipher correspondence with Mary. He even hoped to bring the preachers to her side, "howsoever I think Nox is inflexible."[35]

Mary had once again the Flower of Wit for her partisan, and henceforward Lethington wavered no more. But Mary never forgave him; she hated him living, and when he was dead her detestation pursued him. Ever since she was taken at Carberry Hill she had loathed him. Lethington had committed some inexpiable offence. "Yourselves," wrote Randolph to Lethington and Kirkcaldy, "wrote against her, fought against her, and were the chiefest cause of her apprehension, and imprisonment, and demission of the crown." These acts had Lethington committed immediately after Mary saved his life from the dagger of Bothwell. But Randolph adds, "*With somewhat more, that we might say, if it were not to grieve you too much herein.*"[36] If the falsification of the casket letters is hinted at, it is not the only case in which Kirkcaldy was accused of forgery, not that his hand could have forged the casket letters.

On the unhappy Mary, and on Norfolk, another bolt was falling. About September 6, just after Lethington's arrest, Elizabeth heard of Norfolk's marriage project. He had ever been too timid to speak to her and ask for permission. The idea of another woman being married, most of all Mary, always drove Elizabeth into fury. She heard of the thing we know not how, and summoned Norfolk to her presence. What she said may be guessed: Norfolk retreated to Andover, warning Cecil that Murray had broken out, and was aiming at the crown of Scotland; "God send him such luck as others have had that followed his course." Such luck had Murray in no long time.[37] Elizabeth instantly removed Mary to Tutbury, which was garrisoned, to prevent her from being liberated by the

Catholics of the north. Dan Ker of Shilstock Braes was her rider on the Border, but by September 18 the Border was overawed by Murray with a great force. The Regent's position was not, however, wholly enviable. Elizabeth, angry as she was, now wished, once for all, to be rid of Mary, to send her into Scotland to take her fortune. But she stipulated that she must have six hostages—three earls and three lords—as sureties that Mary "shall live her natural life without any sinister means to shorten the same."

Elizabeth also bade her envoy, Henry Carey, ask Murray bluntly whether he had treated, behind her back, for the Norfolk marriage (September 21).[38] Norfolk was sent for to Windsor, but feigned himself too ill to travel. Several English partisans of the Norfolk marriage were held to examination, including Throckmorton. Lesley was also examined. The bishop told as much truth as he thought was already known, and as many fables as he deemed likely to pass undetected. Murray, in a letter to Elizabeth of October 29, told what he deemed convenient about the business, and enclosed Norfolk's brotherly letter to himself. But there was a point beyond which even Lethington could *not* go, and that point had been passed by Murray. He invited Lethington to accuse Norfolk; but Lethington, he says, "flatly denied to me in any sort to be an accuser of the Duke of Norfolk, thinking he shall escape these storms." Not being so sanguine, Murray *was* an accuser of the duke. Murray ends by communicating the blessed news that a Catholic gentleman "has become a good Christian man, and a favourer of the Gospel." Finally, as Lethington, being altogether reprobate, will not betray Norfolk, Murray sends, what he had kept back for two months, Paris's confession accusing Lethington of Darnley's murder, "in authentic form." Perhaps he had, less formally, sent it before.[39]

Meanwhile Lethington, arrested at Stirling, had been carried to Edinburgh, and lodged in the house of one David Forrester, a friend of Murray's. It was not deemed safe to place him in the castle, commanded by his friend Kirkcaldy. Morton hated Lethington and James Balfour, who, however, was allowed to live in Fife under heavy sureties. But Maitland did not long remain in durance. James Kirkcaldy visited him while at supper at Forrester's, and the same evening Kirkcaldy of Grange brought a letter, forged in Murray's name, obtained Lethington's release, and carried him to the castle, where he was safe. Robert Melville, under examination

in October 1573, said that he thought Kirkcaldy of Grange was himself the forger. Lethington was in the castle by October 23. "A day of law" was set for him on November 21, but by November 5 Drury knew that he had called all his friends to back him in the old Scottish way, — indeed he was sending out his circulars on October 31.[40] He professed himself ready, after his trial, to undergo English justice, as an English subject, regarding his traffic with Norfolk.

There was no day of law for Lethington. Morton was afraid to appear as accuser; though he says that Lethington practically confessed to him his guilt.[41] The town was full of Lethington's armed supporters. Murray convened their chiefs, pointed out that they had invited him to be their Regent, and now opposed him. He prorogued the trial, awaiting instructions from Elizabeth. Civil war was thus postponed. He had heard (November 22) of the rebellion of the North of England, which had risen without Norfolk. The English Catholics—Northumberland, Westmoreland, and the rest—failed to rescue Mary, who was transferred from the care of Shrewsbury to that of Huntingdon, and after a vain parade the leaders fled across the Border. On December 8 Murray mustered his forces to resist the entry of the English rebels; he again summoned them to Peebles, to resist "the abominable mass" on December 20. The English chiefs, in sorry state, fled to the Black Laird of Ormiston, one of Darnley's murderers, to the Laird's Jock, and Jock o' the Side (December 21).[42] Murray marched to Hawick. The English Government hoped to capture the fugitives by bribing the Black Laird with a free pardon for Darnley's murder.[43] But even Ormiston, a man stained with every crime, could not be bought to break the law of Border hospitality. Possibly he did not get the chance. A convenient traitor was found in Hector Armstrong, whose name became a proverb for perfidy. Aided by Martin Elliot, he beguiled and took Northumberland, despite a gallant attempt at rescue by Borderers of both countries. Black Ormiston seized his moment, and robbed Lady Northumberland of all her own and her husband's jewels, clothes, and money.[44] Northumberland was handed over to Murray, but the Kers honourably entertained Westmoreland at their strong Castle of Ferniehirst, near Jedburgh. On January 2 Northumberland was sent to occupy Mary's old rooms at Lochleven.

Having now, in Northumberland's person, something to offer by

way of exchange or barter, Murray asked Elizabeth to hand over Mary, her life being guaranteed by the delivery of hostages. Among others, Morton and Mar signed the request, and Ruthven, who, says Nau, had been making love to Mary when she was in Lochleven. John Knox, "with his one foot in the grave," on January 2, 1570, advised Cecil that "if he struck not at the root" (Mary), "the branches that appear to be broken" (her party) "will bud again with greater force."

In exacting hostages for Mary's safety, Elizabeth might have done worse than stipulate that Knox should be one of them. In the instructions of the bearer of Knox's letter, Elphinstone, were comprised Murray's terms for the bargain. Lesley heard of the affair from Mary herself, as did La Mothe Fénelon, and the exchange did not take place.[45]

Lesley, however, was imprisoned in the Tower, he thought because Murray revealed his part in the negotiations with Norfolk. All Scotland, wrote Hunsdon from Berwick, was infuriated by the demand for Northumberland's extradition. Sadleyr did not believe that Murray would dare to give him up. Murray, who had behaved with humanity to Lady Northumberland, rescuing her from the Black Laird, made an attempt to take Dumbarton, held by Fleming for Mary, but failed. He was at Stirling on January 14. On the 23rd, as he rode through Linlithgow, Mary's birthplace, he was shot, from the window of a house in the street, by Hamilton of Bothwellhaugh. The miscreant occupied a house belonging to Archbishop Hamilton: he covered the floor of the little room wherein he lay with a feather mattress, to deaden the sound of his booted feet; he darkened the room with a black curtain hung behind him; barred the door opening on the street, and had a swift horse saddled at the back door. He fired: Murray reeled in his saddle: Bothwellhaugh mounted and spurred. He cleared a fence which stopped his pursuers, by dint of sticking his dirk into his horse's flank, and galloped into Hamilton, where the Archbishop and Arbroath, son of Châtelherault, received him with acclamations. The Regent died with calmness and fortitude, slain by a man whom he had spared after Langside fight.

The character of Murray has been debated with superfluous fury. To Mr Froude he seemed "noble" and stainless; through Mr Froude's pages he moves crowned with a halo. "He impressed de Silva with the very highest opinion of his character."[46] We turn

to de Silva. He reports that Murray promised "to do his best for his sister. I am more inclined to believe that he will do it for himself, as he is a Scot and a heretic."[47] That was the very high opinion of Murray's character which de Silva conceived, and it was proved correct.

The sentimental defenders of Mary speak of Murray as a bastard, *un grédin*, a lickspittle, a hypocrite, and a "beaten hound." He was a Calvinistic opportunist. Believing in union with England, and in Protestantism, he steadily did his best for these causes. He had a pension from Elizabeth, and took a rich present from France. He was undeniably grasping: Kirk land's or maiden's lands came alike welcome to him. He was ambitious, but it is vainly asserted that he schemed to win the crown. An opportunist of that age had to "look through his fingers" at crime. He had a guilty foreknowledge of Riccio's murder, with the danger involved in it to Mary and her unborn heir. He was involved in a band between Bothwell, Morton, and other nobles against Darnley; but this band was probably not of a homicidal character. He left Edinburgh on the day of Darnley's murder. He entertained the murderers at a little dinner. To accuse his sister of the assassination he employed her accomplices,—if she was guilty. He backed, by his oath, Morton's oath that the casket papers had been in no respect tampered with. In Mr Froude's opinion they had been tampered with, the band for Darnley's murder had been removed. "If it was done with Murray's fullest consent, his conduct might well be defended." Perjury is not easily defended, and Murray cannot have been ignorant that Hepburn of Bowton's confession, which he put in against his sister, had been mutilated to shield his associates.[48]

An opportunist, in an age of public crime, has an uneasy course to steer. But Murray was brave; in private life without reproach; sagacious; honourable in his tutelage of his ward, the little king; and he would have made an excellent ruler, had he not been debarred by the accident of his birth. His murder, over which Mary rejoiced, pensioning the criminal, was a blunder. Nothing but discredit was gained by herself or her fickle false partisans. Their first act was one natural to the Border clans, and highly injurious in its results to Mary's interest. The day after the murder of Murray, Buccleuch, Ferniehirst, and the English exiles swept across the Marches with 2000 horse, took a large booty,

burned, and ravaged. This, later, gave Elizabeth an excuse to invade Scotland, and wreck the country as far as Lanarkshire, under the pretext of punishing her rebels and their allies — a terrible blow to Mary's cause.[49] Elizabeth's obvious policy was now the old Tudor policy, so well conducted by Dacre, under Henry VIII. She must keep Scotland distracted, and to that end sent Randolph to Edinburgh. On the first news of the Regent's death, and before Randolph arrived, the horror of the cold-blooded crime had gone near to reconciling Scottish parties in opposition to the Hamilton assassins. Hunsdon, from Berwick, reported that Kirkcaldy and Lethington were reconciled to Morton: the reconciliation, as far as Lethington and Morton were concerned, was mere appearance. Between these old allies was now an inveterate hatred. Morton was asking Elizabeth to send down Lennox, who could at least be relied on not to spare the slayers of his son.[50] He and his impetuous wife (afterwards so strangely reconciled to Mary) were even asking Elizabeth to secure the person of their grandson, the child James VI.[51]

On February 14, Grange bore the banner in front of the funeral procession of Murray, whose body was laid to rest where Argyll (Gillespie Gruamach) and the limbs of Montrose are lying, in St Giles's Church. Knox preached the sermon: a prayer of his preserves its spirit. Murray had no fault but clemency: he had not put to death Mary and her accomplices. "Oppose thy power, O Lord, to the pride of that cruel murderess of her own husband; confound her faction and their subtle enterprises, of what estate and condition soever they be."[52] The Hamiltons and Argyll, meanwhile, held a counter-meeting at Glasgow, and Drury advised Randolph to "bait with a golden hook," which he did when he arrived in Edinburgh, distributing bribes. Buchanan published his 'Admonition to the True Lords,' raking up all that could be said, truly or falsely, against the Hamiltons, since the time of the ruffian Sir James Hamilton of Finnart.[53] Randolph's instructions contained a hint that Elizabeth wished to secure James's person,[54] which neither party was likely to grant. The lords heard Lethington, who in "ane perfite orratione" cleared himself of any share in Murray's death, and was readmitted to the Council—not, we may presume, to the pleasure of Knox.[55] The lords who had gathered to Murray's funeral withdrew, being of different minds, and fixed a new convention for March 24. Elizabeth bade Randolph give

assurances that she would never restore Mary, but no one trusted Elizabeth.

On February 25 the two parties tried to reach an understanding. Argyll and Boyd met Lethington and Morton at Dalkeith "anent the hame-bringing of the queen." But Randolph heard of the conclave, apparently from Archibald Douglas, Morton's agent, one of Darnley's murderers, and hurried to Dalkeith. The conclave then broke up: Randolph succeeded in making civil war inevitable.[56] He himself was in high spirits, as always when mischief was in hand. He reported that Lethington was very ill, "his legs clean gone," and was dreading the cloud from the south, "which, if it falleth in this country, wrecketh both him and all his family." The cloud was Lennox, who had a blood-feud with Lethington, to avenge Darnley (March 1).[57] Randolph was taunted with the approach of aid from France: the despatches of La Mothe Fénelon prove that this was contemplated. But it was the old story of Stuart hopes from France. Still, the hopes, and the arrival of Verac from Charles IX., had their effect. By March 17 the two factions of lords at Edinburgh broke up: the queen's men used to meet at "the school," Lethington's rooms; the king's men at Morton's house. Elizabeth announced (March 18) that Sussex was about to invade Scotland, to punish Buccleuch and Ferniehirst and the abettors of her rebels. Her promises on one hand, those of France on the other, helped the intrigues of Randolph. Both parties went to muster their forces: the queen's lords decided to meet at Linlithgow in April. Lethington (March 29) warned Leicester that Elizabeth's action would drive his party into the arms of France. On April 5 Randolph withdrew to Berwick "for safety": he had succeeded; Scotland was in two hostile camps, and the great devastations by Sussex, with the horrors of "the Douglas wars," were soon to begin.

By mid-April Sussex was about to devastate the land, and a remonstrance from Mary's party in Edinburgh was of no avail. Lennox offered his services to Elizabeth: they were presently accepted. By April 21 Sussex was destroying Branxholme, or so much of it as Buccleuch had left unburned. These ferocities—he laid all the Border waste—appear to have determined Kirkcaldy: he set Lord Herries free, and now, as Sussex writes, became "vehemently suspected of his fellows," the king's party, with whom he had not yet absolutely broken.[58] Elizabeth could not make up

her mind to acknowledge James VI. as King of Scotland, and the ravages of Sussex, with Elizabeth's fickleness, were deemed not unlikely to unite the Scots. Morton now intended to have advanced from Dalkeith to Edinburgh in James's name, and as the ally of Sussex. But he was deterred by a threat from Kirkcaldy, who in the end of April "was clean revolted" from James's party, "without any further hope."[59] This was a great accession to Mary's side, for Kirkcaldy was highly esteemed as a commander: he had previously been Mary's inveterate opponent, and he was more respected for honesty than perhaps he deserved. Morton declared that Mary bought him by the gift of the revenues of St Andrews, vacant by the death of Murray,—"a device of Lethington, for *Judas non dormit*."[60] Kirkcaldy denied the report to Randolph, who had bantered him on being a prior. He still professed loyalty to James.

Meanwhile Scrope harried Herries's western estates. Home Castle was taken, and by April 27 Lennox was at Berwick with forces to wreak his feudal vengeance on the Hamiltons.

Elizabeth (April 30) began to fear the intervention of France and Spain, and told Sussex to comfort and encourage her party in Scotland. But not even now would she promise to Morton that she would acknowledge the child king.[61] The laird of Drumquhassel was sent to Sussex to urge firmer resolutions on Elizabeth. The Lennox MSS. also prove that he had a private mission. He was to endeavour to obtain the signature of Lethington to the band for Darnley's murder, which Mary was known or believed to possess.

On May 14 "the cloud from the south" appeared: Lennox rode from Berwick to Edinburgh with 1600 Englishmen, led by Drury. They marched to Glasgow and parleyed with Dumbarton Castle. Meanwhile Lethington, as Sussex heard, was threatening to make Elizabeth "sit up,"—"sytt on her tayle and whyne." He believed in French intervention. He also denied to Leicester that he had spoken unseemly words, and affirmed that the strength of the nobles was united to aid Mary (May 17). But Lennox and his English drove Châtelherault from the Castle of Glasgow, where Mary had nursed Darnley, and now Lennox proposed to take Dumbarton. He devastated the whole Hamilton country, and sacked and burned Hamilton Palace and Kinneil. The lands of Fleming and Livingstone, Mary's personal friends, were also destroyed, Lennox suspecting Livingstone of a share in the murder of Darnley. Dumbarton, however, was not to be sieged. On May 21 La Mothe Fénelon, in

his king's name, bade Elizabeth withdraw her troops from Scotland.[62] She wrote to Sussex next day, telling him to leave Dumbarton alone, and Drury retired to Berwick. By the last of May, Elizabeth, in fear of France, again desired to arrange some compromise in Mary's interest. In a week she had begun to change her mind. Morton dealt with her (June 16) for the appointment of Lennox as Regent, adding a hint that, if Elizabeth again failed his party, they would turn to Mary or to France.[63] Meanwhile they appointed Lennox Lieutenant of the Kingdom (June 28): Elizabeth had replied that she could not nominate a regent, but would welcome the election of Lennox. On July 17 Lennox was appointed Regent, and this meant war to the knife. He was the implacable feudal foe of the Hamiltons, and pined to avenge Darnley on Lethington.

A correspondence, to which we have already alluded, now passed between Randolph and Kirkcaldy and Lethington. Randolph plainly told the chiefs in the castle that they had been the cause of all Mary's misfortunes, as she herself averred. They had taken her at Carberry, caused her imprisonment and abdication, and counselled her execution. Something more and worse they had done against her, which Randolph, as we have already seen, hinted at darkly[64] (p. *222 supra*).

He may mean the handling or mishandling of the casket letters. And why, he asked, were they now Mary's chief supporters? Probably Randolph knew the reason: Lethington was in Mary's power. To anticipate events, Sussex on July 29 addressed Lethington in a similar strain. Lethington at York had privately accused Mary of murder, had privately shown her letters to Sussex himself. "I would be glad to admit your excuse that you were not *of* the number that sought rigour to your queen, although you were *with* the number, if I could do it with a safe conscience. But I will say, it is not mine to accuse, and therefore I will not enter into these particularities." Lethington, we remember, used the casket letters, unofficially, to force on a compromise. He resisted their public disclosure, as then his bolt was shot, while Mary still could discharge her own against him. But, Sussex added, had Mary's accusers, of whom Lethington was one, obtained their desire from Elizabeth, "there had been worse done to your queen than either her majesty or any subject of England that I know . . . could be induced to think meet to be done." To do the worst to Mary, at the time to which Sussex refers, would have suited Lethington well. When the worst was not

done, when there was a chance of Mary's restoration, Lethington was compelled to keep her on the safe side.[65] He made no reply to this part of the letter of Sussex, beyond denying his consent to the scheme for killing Mary: the reasons for his final change of sides he could not reveal. Indeed they have puzzled historians. "How had Maitland become so changed?" Mr Froude asks, and supposes that he reckoned, as he certainly at one time did, that Elizabeth would at last let Mary go free. Mary and he could then complete his national ambition, and the two crowns would be united on the head of herself and of her son. But what Lethington, as he told Morton later, desired was to escape "*particular* evil will" from Mary, if ever she was restored. He knew what he had deserved: "more particular evil will than he had already at her hands," as Morton replied, he could in nowise merit. For this reason, because she "had in black and white that which would cause Lethington to be hanged by the neck," he was compelled to propitiate her, and at last, Nau says, obtained "assurances" from her. This was the motive, this and not the influence of his fair wife, or hatred of Knox, which bound Lethington to the only cause which he could not desert.

While the Sussex-Lethington correspondence passed, the queen's lords intended to meet at Linlithgow; but Huntly was checked by Lennox and Morton, who took his castle at Brechin, and shocked Sussex, a man of honour, by hanging many of the garrison. Any spark of the old national sentiment that still smouldered in Scotland was now apt to be revived. Huntly had denounced the new Regent, Lennox, as an English subject. Lennox had denied the imputation, but it was accurate. On September 23 Elizabeth licensed Lennox to remain in Scotland till she should send for him![66]

There could be no peace under an English Regent of Scotland, but affairs dragged on indecisively. Politicians picked idly at the Gordian knot. Elizabeth was dallying with the idea of restoring Mary, and securing, by way of exchange, the principal Scottish castles. Lethington was ready to concede almost anything; the one object was to secure Mary's freedom, but he told Lesley that Elizabeth would never let her cousin go. Mary, in fact, had too many friends. She had hopes from France, hopes from Spain, hopes from Catholic England, and as her intrigues with these Powers were always discovered, and always infuriated Elizabeth, Mary's chances from *her* weariness, or awakened conscience, were

dashed again and again. Norfolk, indeed, was now set at liberty, but this only added another to the clashing strings on Mary's bow. Her friend, Herries, was so punished by a new invasion under Sussex that he seems to have lost heart. In mid-September a truce was settled between the king's lords and Mary's party.[67] On September 19 Elizabeth sent Cecil to deal with Mary, then at Chatsworth: we have, unluckily, no personal details about the strange interview. Elizabeth intended to bring Mary to accept her conditions by a threat of publishing the casket letters, but this was delayed. Lethington had bidden Mary and Lesley "yield in everything." He would even give up Dumbarton and the little prince. These letters of August 17 were intercepted by Lennox and sent to Cecil, with an enamelled jewel, representing the triumph of the Scottish lion.[68] Mary negotiated with Cecil, while Sussex was protesting, as a man of honour, against Lennox's attempt to forfeit Lethington during the truce (October 8).[69] Mary, maliciously, where Cecil had put forward a clause as to Elizabeth's possible "issue," inserted "*lawful* issue." She entirely declined to deliver up Elizabeth's rebels who sought sanctuary in Scotland. She refused to pursue Bothwell *except* "according to the laws of the realm," by which Bothwell had already been acquitted. Under conditions she would send her child into England. She "desired most instantly" to see her boy. As the negotiations bore no fruit, it is needless to enter into other details.

Cecil pretended to Lesley that he rather liked the idea of the Norfolk marriage: this was a mere ruse to encourage Mary in an intrigue which must be fatal.

The party of Lennox ought now to have sent representatives to England to ratify or reject this informal treaty of Chatsworth. But Morton "was much appalled."[70] Mary, in fact, held a sword over the head of Morton as well as of Lethington. Moreover, the queen's party were circulating an old "band," which, they said, involved even Murray, as signatory of the contract for Darnley's murder. The band was probably that of October 1566, and was, at most, a union against Darnley in certain contingencies, in appearance a relatively constitutional document.[71] Lennox (October 16) showed the alarm of his party by imploring Elizabeth not to proceed "with any treaty to the advantage of the Queen of Scots."[72] They were "all so amazed and astonished that they do not know what counsel to take." Morton ingenuously objected

to allowing two of Mary's party to enter England as commissioners, as they might happen to be (like himself) of Darnley's murderers. In Paris Norris warned Cecil that if Mary returned home she might marry the Duc d'Anjou.[73] Guereau, the Spanish Ambassador in London, "knew for certain" that Anjou was about to propose to Mary: the English Catholics preferred him to Norfolk (October 15).[74] But there had recently been schemes for marrying Anjou, brother of the French king, to Elizabeth.[75] This plan smouldered on, though Anjou himself, a lad of seventeen, cried out against the dishonour of marrying a woman of thirty-seven, whose character, as he knew, had been totally lost through her doings with Leicester. Anjou was still young enough to have scruples, but they were overcome; Elizabeth was proved chaste as ice, and through 1571 she coquetted with the boy.

But before this, in November, a famous retainer of Lennox, Thomas Crawford, was mercilessly despoiling the poor tenants of the Hamiltons. The preacher Craig, a just and courageous man, induced Lennox to make some amends, but Crawford was still plundering. On November 14 Robert Pitcairn was sent by Lennox to deal with Elizabeth, and William Livingstone, with the Bishop of Galloway, followed, to act for Mary.[76] Elizabeth gave Pitcairn scant satisfaction. Scotland rang with an extraordinary and ingenious murder, perpetrated by a preacher on his wife; and on December 21 there were notable doings in Edinburgh. Retainers of Kirkcaldy beat an enemy of his, and one of them was put in prison: Kirkcaldy broke open the Tolbooth and rescued his client. Knox thundered against his old friend, Kirkcaldy, who complained of being called a "murderer" (which he was); Knox paltered and equivocated, and civil war was clearly at the doors again.[77]

Meanwhile the arrangement between Mary and Elizabeth, the treaty of Chatsworth, made no progress. Under hope deferred, and the horror of private news from Scotland, Mary's health became perilous. Lennox had given to little James, as tutor, his own clansman, Buchanan, the writer who had accused Mary not only of murdering her husband but of designing to murder her child. This infernal act had the natural results: the child was reported to defame his mother; to have been taught parrot-cries against her.[78] "No man believed any other thing of her to come but death."[79] Her illness was in mid-December; by February 6 Mary was convalescent. She then wrote to Lesley, and to Eliz-

abeth, not to wait for Lennox's commissioners. If delay was prolonged she would seek aid abroad.[80] In truth, Mary was beginning a new plot for her release. This time the string to her bow was an Italian banker, Ridolphi, settled in London, an agent between the Duke of Norfolk and Spain. Mary knew of the Anjou-Elizabeth marriage project, which was nothing to her advantage. France was pretending to favour Mary's marriage with Norfolk. On the whole, Mary now leant most towards Spain, whither she wished to fly. Meanwhile she desired Ridolphi to go to Spain in her interests, and to assure Spain and the Pope that they might rely on Norfolk.[81] If we may believe a Buchanan (Thomas) who wrote to Cecil from Copenhagen, Mary kept up her correspondence with Bothwell.[82] Far too many strings had Mary to her bow, far too many irons in the fire.

But it does not seem that Anjou was one of the strings, or that Mary wished to marry her husband's brother, aged seventeen. Mr Froude, indeed, writes, "Suddenly, with overwhelming surprise, she learned that her false lover" (Anjou) "was going over to the English queen." But Mr Froude is "confounding the persons," as he not infrequently does, never to Mary's advantage. It was Elizabeth who felt "overwhelming surprise," and was "stung to fury," on learning from Walsingham, who invented the story as a *ruse*, that *her* "faithless lover was going over to the Scottish queen."[83]

Among these embroilments Morton came to England, at the end of February, with his palladium, the silver casket, to negotiate against the Chatsworth treaty. Elizabeth appointed commissioners. Fénelon tried to bring Morton round to Mary's side: he failed, but found the Earl desperately afraid of Mary's restoration. He entirely refused Elizabeth's terms: he held by Mary's abdication at Lochleven (a point distasteful to Elizabeth as a queen), and she answered angrily that Morton had been prompted by some of her own Council, probably Bacon and Cecil, who deserved to be hanged.[84] Morton returned to Scotland: the treaty of Chatsworth was a mere futility, and it was time for Mary to try her chance with Spain, by help of Norfolk and Ridolphi. In Scotland Kirkcaldy was fortifying the castle and enlisting troops, civil war raged round Paisley, and a heavy loss was about to fall on Mary's party. Meanwhile Mary sent Ridolphi to Spain and the Pope, pleading the hardship of her case,

and what she might do, if restored, for the Church, with the aid of Norfolk and the English Catholics.[85] The Pope had been painfully shocked by her Protestant marriage with Bothwell. She therefore threw Bothwell over, described her marriage with him as forced upon her, and asked the Pope to release her from the hated tie.[86] If Buchanan (Thomas) happened to tell the truth, if Mary had just been dealing with Bothwell, she certainly now carried opportunism very far, especially as she was protesting her entire obedience to Elizabeth (March 31, 1571).[87] But deceit is excusable in a woman placed where Mary was.

Now, while Ridolphi was on his mission, a heavy blow fell. Dumbarton Castle, held by Lord Fleming, was the open gate of Mary's friends: here they received supplies from France. The rock seems impregnable to forces not armed with modern artillery, but on April 2 it was seized for Lennox by Thomas Crawford and Cuningham of Drumquhassel. The place was sold by a traitor within. The Archbishop of St Andrews was captured, and on April 7 was accused by Ruthven and George Buchanan of being a party to Darnley's murder, and of other crimes. The evidence had been known to Lennox, by hearsay, as early as June 11, 1568. It was the testimony of a priest, and based on what he had heard in the confessional from one John Hamilton. The Archbishop denied all the charges, but on the scaffold is said to have admitted being art and part in Murray's murder. He was hanged without any recorded form of trial.[88] It is not certain, nor in any way proved, that the Archbishop was concerned in Darnley's murder. It suited Lennox to say so, and George Buchanan was Lennox's man.[89] If we may believe Buchanan and the 'Diurnal,' it is a comfort to know that the priest who revealed, or pretended to reveal, the secrets of the confessional, was soon after hanged for celebrating mass. Whether mere intolerance or a desire to remove this worthy witness was the motive for killing him, we may guess.

Undaunted by the loss of Dumbarton, Kirkcaldy held Edinburgh Castle for Mary, and formally renounced allegiance to the Regent Lennox. He was joined by the Hamiltons and many of Mary's friends, including Argyll. On May 11, the Hamiltons being in Edinburgh, Knox made the last of his retreats, finding asylum in St Andrews, where he was not popular. The old college, St Salvator's, was more or less for the queen's party. St Leonard's

was, as it had ever been, extremely Protestant. The well of St Leonard's was the fountainhead of the Scottish Reformation. At St Andrews was Mr John Colville, second son of Colville of Cleish, a natural branch of the House of Easter Wemyss. He was a minister, but a man of secular ambitions. In July, when Knox was dwelling in the Novum Hospitium of the Abbey, John Colville wedded Janet Russel. James Melville tells us that a play was written, to grace the marriage festival, by one of the Regents of St Leonard's, Mr John Davidson. In this drama, "according to Mr Knox's doctrine, the Castle of Edinburgh was besieged, and the captain" (Kirkcaldy of Grange), "with one or two with him, hanged in effigy."[90] This agreeable interlude illustrated Knox's prophecy that his old friend and new enemy, Kirkcaldy, would come to be hanged; and hanged he was, that the prophecy of Knox might be fulfilled.

The play is mentioned because this occasion introduces us to two persons of singular fortunes, the bridegroom, John Colville, and the author of the play, John Davidson. Colville, abandoning his ministerial duties, became a politician and diplomatist. We shall find him engaged in important missions to England for the king, working with the Presbyterian party among the nobles, an associate of the Earl of Gowrie (Ruthven), and on his fall an adventurous partisan of the wild free-lance, Francis Stewart, Earl of Bothwell. When Bothwell's cause grew desperate, he is reconciled to James, loses his favour, continues to be a spy of Cecil and Essex, abandoned by them, lives miserably abroad, still acting as a double spy, still conspiring, reconciles himself to the Catholic Church, takes alms from the Pope, and dies a wretched heart-broken outcast early in the seventeenth century. John Davidson, the author of the play, on the other hand, becomes the satirist, in verse, of the unfriends of the Kirk, beginning with Morton, is the irreconcilable leader of the extreme left of the Kirk party, is a voice crying in the desert when King James overcomes the preachers, and, as minister of Liberton, has personal wrangles with the encroaching king.

Having introduced these new persons in the drama, we return to the siege of Edinburgh Castle. Lennox with his party lay at Leith, but held within the bounds of Edinburgh a Parliament in which they forfeited Lethington and others of their foes. Kirkcaldy fired on them from the castle, and held a Parliament in Mary's interests.[91] The Kirk showed her political tendencies.

Craig and other ministers visited Kirkcaldy and Lethington in the hope of proving peacemakers.[92] Nothing was to be got from Lethington. Neither he nor any one, he told the clergy, had originally dreamed of discrowning Mary, or crowning James. "For my own part, plainly I confess that I did very evil and ungodly." Mary's rebels in 1567 had found themselves in a quandary; "the setting up of the king's authority was but a shift or fetch to save us from great inconveniences." Craig apparently told Lethington that God had only used him and his fetches as an instrument. "Are you of the Deity's Privy Council?" asked Lethington. He had never believed in the pretensions of the preachers; now he spoke out.

Elizabeth now sent Drury as an envoy to both factions, but chiefly to encourage Lennox, who with his party was occupying Stirling. He was hated by his own side as "an Englishman, cruel and extreme where he has the upper hand, nothing liberal; suspicious, and nothing affable," says Drury.[93] Lennox's days were numbered. He asked Elizabeth for artillery, men, and money to reduce the castle. This Elizabeth could have done at any moment: she dallied for two years longer, and we may hasten over a wretched period of civil war. Lethington told Elizabeth that when James came of age he would find "a confused chaos, and the country divided into two or three hundred petty kingdoms, like Shan O'Neil's in Ireland."[94] Elizabeth returned to her old proposal of a truce, and consideration of the treaty of Chatsworth (June 7). Now, in answer to Kirkcaldy's queen's Parliament, Lennox held another at Stirling, that of which little James, pointing to a flaw in the roof, said, "There is a hole in this Parliament" (August 20). Argyll, who had long been wavering, now deserted Mary and made terms with Lennox (August 12). Cassilis, Eglintoun, and Boyd also turned their coats. Morton, who had wavered on the other side, received a bribe from Elizabeth, and was on better terms with Lennox. He "turned over the leaf" not a day too soon. On September 4 Kirkcaldy, on information from Archibald Douglas, sent Buccleuch, Ferniehirst, and Huntly with a force of Border mosstroopers, who surprised Stirling, and seized all the nobles before dawn. But Morton held out bravely in his house, and caused such delay that the soldiers of Stirling Castle and the burgesses came on the scene, rescued the prisoners, and drove out the mosstroopers, who, of course, were busy plundering. Lennox

was shot when a rescue seemed inevitable, despite the chivalrous attempts of Spens of Wormiston, his captor, who was slain in defending him. Calder, who fired the shot, confessed that Lord Claude Hamilton had bidden him avenge the Archbishop, but this was said under torture.[95]

Few tears were shed for Lennox, a mean-souled man in all his conduct from the first. He had begun by betraying the party of Mary of Guise, and stealing money which France had sent to Scotland. In the Riccio affair he and Darnley had aimed at Mary's crown, and, as Randolph heard, at her life. His one desire was to put the Lennox Stewarts in the place of the Hamiltons. His religion depended on circumstances. He, a Regent of Scotland, was a subject of England. "The sillie Regent was slane," says Bannatyne, and the king's lords elected Mar, who, as commander of Edinburgh and Stirling Castles, had played an honest part.

The murder of Lennox was, as usual, a blunder, and, for Mary's party, a misfortune.

The late Regent had become a source of weakness to his own faction. In the Parliament of Stirling he seems to have been willing, but unable, to conciliate the preachers. The overbearing Morton was already treating them as impertinent knaves, merely because they demanded that provision which was their legal right. He and his fellows were reintroducing the odious names of bishops, deans, chapters, abbots, and so forth. Morton had even secured the parsonage of Glasgow for his kinsman, Archibald Douglas, of the House of Whittingham, a man notorious for his share not only in the Riccio but in the Darnley murder, and for treachery to Morton, to Mary, to all who trusted him. This wretch made a mockery of the examination for the place of a minister, owned that he "was not used to pray," declined to adventure himself in the Greek Testament, and, instead of preaching, read portions of the Bible. The Kirk tried to dismiss him, but the Privy Council supported him against the Kirk.[96] He was also, though a murderer, forger, and traitor, a judge, or Lord of Session, thanks to Morton, whose *spadassin* he was. Such proceedings caused many of the barons, or lairds, to separate from the king's lords; and they were soon to be more severely tried by the appointment of another Douglas, John, a pluralist, to the nominal archbishopric of St Andrews. Not being made an archbishop (which was probably his ambition), Archibald Douglas now began to betray Morton. The new simoniacal arrangements recalled the

worst features of corruption in the ancient Church. The tendency of things was in favour of the more austere and sincere adversaries of Mary, the lairds, burgesses, and preachers, but for the moment they were alienated from Morton, and even from Mar.[97] The Kirk was pressing its claims to do justice on homicide, adultery, witchcraft, and incest, "with which the land was replenished," and preachers, as usual, made the pulpit the source of political harangues. But in the din of civil war the Kirk received comparatively slight attention.

Worse than the death of Lennox, for the queen's party, was the discovery of Mary's and Norfolk's intrigue, through Ridolphi, with the Pope, Alva, and Spain. This plot was the result of Mary's despair of the treaty of Chatsworth. It had promising elements: Spanish forces from the Netherlands, money from the Pope, a rising of Catholic nobles, would perhaps not only liberate Mary, but set her on the throne of England. But in April, Lesley's messenger, Charles Bailey, had been arrested at Dover, ciphers had been seized, the legerdemain of Lesley, in substituting one packet for another, had failed: the rack and a *mouton*, or prison spy, named Herle, had extracted much of the truth from Bailey. On May 13 Lesley was examined by Cecil (now Burghley, but the old name may be retained), Sussex, and others, "to whom I answered as seemed most reasonable and convenient to me." Lesley was handed over to the custody of the Bishop of Ely, with whom he hunted. Greek and Hebrew he studied under Ninian Winzet, the honest adversary of Knox, a man not compromised, as far as we know, in these transactions. But in October, when Cecil began to rack the secretaries and servants of Norfolk, the truth came out. On October 16 Lesley was removed to the Tower. Legists were found to assure Cecil that Lesley, though Mary's ambassador, was subject to English law. De Guereau, the Spanish ambassador, was merely sent home, as Randolph had been by Mary, in 1566. But Lesley, threatened with the rack, revealed not only the truth, but perhaps more than the truth, as to the intrigues at York in October 1568. His "anguish of mind," and casuistical attempts at self-defence, are clearly to be read in his letters to Cecil. Between Lesley and the earlier revelations of Murray, Norfolk was betrayed; his trial and execution were postponed. But Mary was strictly secluded; her correspondence for some time is a blank.[98]

Thus the great affair, which seems to have involved the assassina-

tion of Elizabeth, was overthrown, while the Anjou marriage and the league of England with France were still being negotiated. Cecil now arranged to damn Mary's reputation by the publication of Buchanan's 'Detection,' with the casket papers. To the English edition was added an Oration, probably by Dr Thomas Wilson, who had examined Lesley, and learned from him that Mary had poisoned Francis II., murdered Darnley, taken Bothwell to Carberry that he might perish there, and so forth. "Lord, what a people are these, what a queen, and what an ambassador!" cries Wilson.[99] That Lesley was wont to speak very ill of Mary in private we learn from Lethington's son in his MS. of 1616.

Charles IX., through La Mothe Fénelon, vainly protested against the publication of the 'Detection.' Fénelon thought the sonnets the worst things in the book. The tone of Charles and his ambassador by no means implies that they thought the casket papers forged or contaminated.[100]

In Scotland, meanwhile, the castle was besieged in a desultory way, and the people of Edinburgh were distressed, or driven out. In the North, Adam Gordon, commanding for Huntly, defeated the Forbeses, and, himself or by an agent, burned the House of Towey, famous in the ballad "Edom o' Gordon." Hunsdon negotiated with Lethington and Kirkcaldy for a peace, but their terms were too high, and their tone arrogant. Mar wished an end of the troubles; "but Morton," says Drury, "who rules all, unless he and his friends might still enjoy all they have gotten of the other party" (the forfeited lands of the Hamiltons, Lethington, Kirkcaldy, and the rest), "allows not thereof" (October 29).[101]

There were two insuperable causes of strife: Morton's avarice, and Lethington's certainty that peace meant his own execution for Darnley's murder. "Being already forfeited," writes Hunsdon to Cecil, "Lethington knows that there will be no pardon, but that *that*" (Darnley's murder) "will be excepted, and so he can have no surety, and therefore causes all these troubles" (November 25). For nearly a year this deadlock continued. Drury and du Croc, once more sent over by France, negotiated between the Castilians and the king's party throughout the summer of 1572. But there could be no advance. Morton and his hungry allies would not resign the forfeited lands of their opponents. The Castilians would not make peace till their lands and lives were assured, and an amnesty passed. Lethington especially saw that to acknowledge

"the king's authority" meant death to himself and ruin to his adherents. The country, he said, was divided into factions: there could be no peace or safety if, on surrendering the castle, one of these factions, "the king's," was to govern all. He therefore proposed various kinds of coalitions, or Governments of all the Talents, by a commission chosen from both parties. But he was told that he aimed "at an aristocracy, or rather an oligarchy," as if Scotland, during a minority, had ever been ruled by any other means.

While time was thus passed, the king's party could scarcely pay their troops, Elizabeth providing a poor thousand pounds. The result was renewed inroads by Morton and Mar on the stipends of the preachers. Mar actually ventured to inform them that "the policie of the Kirk of Scotland is not perfite." Now the policie of the Kirk was a sacred thing, beyond the range of discussion.[102] Morton caused the ministers to elect, or rather accept, John Douglas as Archbishop of St Andrews in February 1572, to the vexation of Knox.[103] It was plain that there would be collisions between the authority of the prelates and the superintendents. It became one of the chief duties and pleasures of the Kirk to make the archbishops' lives a burden to them: the true origin of these brawls was partly Morton's avarice, but more, perhaps, the imperative need of money for the king's party, who therefore set up tulchan bishops, so called from the mock calf or tulchan used to make cows yield milk. These bishops, without consecration or episcopal functions, merely drew the Church revenues and handed them in, minus their commission, to Morton.

For money the Castilians depended on Mary's dowry in France, and on such French or Spanish supplies as Lord Seton could get from Alva, or James Kirkcaldy from France. Seton was driven to land at Harwich, and went through England disguised as a beggar. He received an alms of two shillings from Sir Ralph Sadleyr, who, of course, did not recognise him. His ciphered papers, however, fell into Cecil's hands. Much of the money was apt to be appropriated *en route*, as by Archibald Douglas, minister and Lord of Session, who was at once acting as a spy for Drury, as Morton's man, as an agent for the Castilians, and, it was said, as manager of a plot to assassinate Morton. This combination of industries being discovered, Archibald was imprisoned by Morton in Lochleven Castle. Later, he was warded in Stirling, and (Nov. 25, 1572) was to be tried, but he knew too much, and was re-

leased.[104] We have, in MS., an astonishing list of charges against him. Lochleven now yielded up the fugitive Northumberland, whom William Douglas sold to Lord Hunsdon for £2000 in gold; though even Morton was outraged by the infamous treachery—"was utterly against it," writes Lord Hunsdon. Lochleven had previously bargained with Lady Northumberland for the same sum. Northumberland was decapitated, and part of the £2000 went to pay the troops of the king's party.[105]

By mid-April the Castilians lost the support of Argyll, Cassilis, Eglinton, Crawford, and Herries. A war of skirmishes and house-burning raged between the castle and the Regent's troops at Leith: prisoners were hanged on both sides. In June the noted Thomas Crawford had a success near Glasgow, but "Gauntlets," as he was nicknamed, soon suffered defeat at the hands of the Hamiltons.[106] In July the English negotiators succeeded in bringing about a truce, which was fatal to the Castilians. Edinburgh town was to be open; but the king's party, unfairly, garrisoned it, so that Knox returned from St Andrews, and, dying as he was, preached political sermons, declaring that Kirkcaldy would come to be hanged. His prophecy, ridiculed by Lethington, was sacred, and had to be fulfilled.

At this time the English Parliament and bishops were urging Elizabeth to despatch Mary. But Elizabeth was now in league with France, which still, from sentiment, would not wholly abandon Mary: moreover, Elizabeth's belief in the sacredness of the anointed, and a grain of conscience as to her kinswoman and suppliant, held her hands.

But the news of the Bartholomew massacre came (August 24), and with it horror of France, and terror among the Protestants. Cecil, Leicester, and Elizabeth held a secret conclave, and sent Killigrew to Scotland. His instructions were to lead Morton and Mar to propose the surrender of Mary for execution. Scottish hostages were to be given to ensure the certainty of her death.[107] This was arranged on September 10. Killigrew negotiated through Nicholas Elphinstone, a favourite agent of the late Regent Murray. "As for John Knox, that thing, you may see by my despatch to Mr Secretary, is done," writes Killigrew (October 6).[108] But there were difficulties. Morton's terms were high, and he stickled for some kind of secret process, and military aid; even, perhaps, for a meeting of Parliament. But Elizabeth did not wish her hand to

be seen, and of course, when the thing was done, would have disavowed, as usual, her instruments. The negotiation fell through, as it was plainly impracticable. Elizabeth, if she was to make Morton and Mar her assassins, must pay them, and avow them. She must send troops to protect the doers of the deed, must make a defensive league with the king's party, take James under her protection, and promise that what befell his mother should not affect his English claims. She must help Mar to reduce the castle, and pay the arrears of his troops. Cecil saw that these articles could not be accepted, and on November 3 announced to Leicester the failure of his plot. The death of Mar at Stirling on October 28 would probably, in any case, have put an end to the scheme.[109]

The effect of the Bartholomew massacre on the Kirk was to make it clamour for the execution of all Scottish Catholics who did not recant their belief. Fortunately the ministers and commissioners of the Kirk were never permitted to have a Bartholomew of their own, and "proceed against" their fellow-Christians, "even to the death."[110]

The first step was to be excommunication, then confiscation and exile. If they remain in the country, "it shall be lawful for all the subjects of this realm to invade them, and every one of them, to the death." To the General Assembly which made these proposals "never one great man or lord came, except the Laird of Lundie, and some, but few, lairds of Lothian." The articles expressed only the Christianity of the preachers.[111]

NOTES TO CHAPTER IX.

[1] Froude, viii. 464; Lingard, vi. 94, note 2 C., 1855.
[2] La Mothe Fénelon, i. 133-162.
[3] See Appendix B., "Logan of Restalrig and the Gowrie Conspiracy."
[4] Bain, Calendar, ii. 583, 585; Goodall, ii. 200, 201, 272, 273, 281, 307, 309; La Mothe Fénelon, i. 82; Mystery of Mary Stuart, pp. 283-286.
[5] Memoranda by Cecil, December 22, Bain, Calendar, ii. 589.
[6] Bain, Calendar, ii. 588. [7] Goodall, ii. 300. [8] Fénelon, i. 208.
[9] Hosack, i. 480-499; For. Cal. Eliz., 1569, ix. 131-138.
[10] Anderson, iii. 35-39. [11] Labanoff, ii. 295.
[12] For. Cal. Eliz., ix. 28. [13] For. Cal. Eliz., ix. 44; Fénelon, i. 343.
[14] For. Cal. Eliz., ix. 45, 46. [15] Diurnal, p. 142; For. Cal. Eliz., ix. 46, 47.
[16] Herries to Elizabeth, July 5, For. Cal. Eliz., ix. 93; Diurnal, p. 45.

[17] Anderson, iii. 36-39. [18] Labanoff, ii. 339-341.
[19] For. Cal. Eliz., ix. 73. The terms suggested for the arrangement are in For. Cal. Eliz., ix. 74.
[20] For. Cal. Eliz., ix. 84. [21] Labanoff, ii. 368.
[22] Haynes, Burleigh Papers, p. 520. [23] Anderson, iii. 70.
[24] Bain, ii. 661. [25] Bain, Calendar, ii. 663, 664, 666.
[26] Anderson, iii. 70, 71. [27] Privy Council Register, ii. 1-9.
[28] Hunsdon to Cecil, Berwick, August 5, Bain, ii. 666, 667.
[29] Lennox MSS.; Hosack, i. 250, 251; Schiern's Bothwell.
[30] Bain, ii. 697, 698.
[31] Declarations of Paris, Laing, ii. 270-290. [32] Bain, ii. 668.
[33] Diurnal, 147, 148; Hunsdon to Cecil, September 8, Bain, ii. 674.
[34] Bain, ii. 691. [35] Bain, ii. 677.
[36] Chalmers, ii. 486, 487, Note A. [37] Haynes, p. 522.
[38] Haynes, p. 525. [39] Murray to Cecil, October 29, 1569; Bain, ii. 698.
[40] Bain, ii. 699, 700. [41] Bannatyne's Journal, p. 481.
[42] For. Cal. Eliz., ix. 152. [43] For. Cal. Eliz., ix. 155.
[44] Diurnal, p. 154.
[45] Anderson, iii. 84; Fénelon, iv. 6-9 (?); Labanoff, iii. 16.
[46] Froude, iii. 165, 1866. [47] Spanish Calendar, i. 665.
[48] Froude, iii. 1866, 200, 201; Goodall, ii. 90.
[49] For. Cal. Eliz., ix. 185, 186. [50] For. Cal. Eliz., ix. 177, 178.
[51] Haynes, pp. 576, 577. [52] Knox, vi. 569, 570. [53] For. Cal. Eliz., ix. 188.
[54] For. Cal. Eliz., ix. 176, 177. [55] Diurnal, p. 158.
[56] Diurnal, pp. 160, 161. [57] For. Cal. Eliz., ix. 196.
[58] For. Cal. Eliz., ix. 226. [59] For. Cal. Eliz., ix. 230.
[60] For. Cal. Eliz., ix. 230, 231. [61] For. Cal. Eliz., ix. 233, 234.
[62] For. Cal. Eliz., ix. 252. [63] For. Cal. Eliz., ix. 269.
[64] Strype, Annals, ii. Appendix ix. [65] Tytler, 332-334, July 29, 1570.
[66] For. Cal. Eliz., ix. 343. [67] For. Cal. Eliz., ix. 338, September 16.
[68] Randolph to Cecil, October 2; For. Cal. Eliz., ix. 348.
[69] For. Cal. Eliz., ix. 351; Haynes, p. 608. The terms proposed by Cecil to Mary, October 5.
[70] Sussex to Cecil, October 9. For. Cal. Eliz., ix. 352.
[71] Randolph to Cecil, October 15; For. Cal. Eliz., ix. 354, 355. Archibald Douglas to Mary, April 1583 (?); Laing, ii. 331-336. Compare, in a form probably exaggerated, Claude Nau (Stevenson), pp. 35, 243.
[72] For. Cal. Eliz., ix. 356. [73] For. Cal. Eliz., ix. 359.
[74] Span. Cal., ii. 282. [75] La Mothe Fénelon, iii. 358. November 9, 1570.
[76] Diurnal, pp. 194, 195. [77] Bannatyne, pp. 67-89.
[78] Fénelon, iii. 403. December 18, 1570. [79] Diurnal, p. 196.
[80] Labanoff, iii. 174-176.
[81] Mary to Lesley, February 8, 1571; Labanoff, iii. 180-187.
[82] For. Cal. Eliz., ix. 392.
[83] Froude, iv. 145; Hosack, ii. 38; Fénelon, iv. 20, 21.
[84] Fénelon, iv. 1-20. [85] Labanoff, iii. 222 *et seq.*
[86] Labanoff, *ut supra*, p. 231. [87] Labanoff, iii. 260.
[88] Diurnal, pp. 204, 205; Bannatyne, p. 121.
[89] Compare Buchanan, fol. 215 and fol. 243. In the 'Detection' and 'Book of Articles' (1568) Buchanan does not accuse Hamilton: the plan then was to represent only Bothwell and Mary as guilty.

[90] James Melville, Diary, p. 22.

[91] Diurnal, pp. 214-217; For. Cal. Eliz., ix. 447.

[92] May 20, Drury to Privy Council, For. Cal. Eliz., ix. 448; Bannatyne, 156 *et seq.* .

[93] For. Cal. Eliz., ix. 451. May 23.

[94] For. Cal. Eliz., ix. 460.

[95] For. Cal. Eliz., ix. 526. Kirkcaldy and Lethington to Drury, September 6. Also p. 532.

[96] Privy Council Register, ii. 79, 80, 114, 115.

[97] Book of the Universal Kirk, pp. 120-128, 250, 257, 285.

[98] Lesley's Diary, Bannatyne Miscellany, iii. 117-156; Murdin, pp. 1-150; Froude, iii. 210-299. 1866.

[99] Murdin, p. 57. November 8, 1571.

[100] La Mothe, vii. 275, iv. 301 *et seq.*

[101] For. Cal. Eliz., ix. 555.

[102] Bannatyne, p. 292.

[103] Bannatyne, p. 323.

[104] Privy Council Register, ii. 171.

[105] For. Cal. Eliz., x. 61, 76, 94, 99, 110, 119, 124. For Archibald Douglas, cf. pp. 52, 56, 83, 89, 91, 100, 106.

[106] For. Cal. Eliz., x. 127, 147.

[107] Murdin, pp. 224, 225.

[108] Tytler, vii. 384.

[109] The best account of these intrigues is in Tytler, vii. ch. iv. and Appendix xi. with letters. The 'Foreign Calendar' of Elizabeth (x.) is singularly inadequate at this point.

[110] For. Cal. Eliz., x. 195.

[111] Bannatyne, pp. 406-411.

CHAPTER X.

REGENCY OF MORTON.

1572–1577–1581.

THE death of the Regent Mar was naturally followed by the Regency of Morton. Few stranger souls than Morton existed even in the Scotland of the Reformation. The open licentiousness of his private life is, comparatively speaking, a high light on the darkness of his character, and proves that, in hypocrisy, he was not absolutely consistent. Double murderer as he was, he talked the speech of the godly with skill and freedom. His avarice may have been overstated: he needed money for the king's government: he really had a care for the public weal, and his fall was partly due, like the unpopularity of Murray, to his salutary severities. He had the merit of detesting the interference of preachers with politics. Attached to his family, the Douglases, he appointed nonentities, murderers, and forgers of the name to bishoprics, minor livings, and seats on the bench of justice. He robbed rich and poor with equal ruthlessness. But he had the virtue of personal courage and stedfast resolution. No man did more to keep the preachers within bounds. By a system of fines he discouraged disorder. When the end came, and he followed others among Darnley's murderers to the scaffold, the ministers were sincerely sorry, for he was as stout a Protestant as Bothwell himself.

The Regency of Morton meant the ruin of the Castilians and of Mary's cause in Scotland. He let Elizabeth know, in short, that she must make up her mind. She must aid him with money, a pension, and artillery, or he would look elsewhere for assistance.

On the day after Morton's election Knox expired (November 24, 1572). He had asked Morton if he had any knowledge of Darnley's murder, and Morton had lied.

Of Knox we may cite two contemporary opinions. The first is that of his secretary, Bannatyne: "This man of God, the light of Scotland, the comfort of the Kirk within the same, the mirror of godliness and pattern and example to all true ministers, in purity of life, soundness in doctrine, and in boldness in reproving of wickedness, and one that cared not the favour of men (how great soever they were) to reprove their abuses and sins."[1] The other verdict is from the hand of the author of the 'Diurnal of Occurrents': "John Knox, minister, deceased in Edinburgh, who had, as was alleged, the most part of the blame of all the sorrows of Scotland, since the slaughter of the late Cardinal" (Beaton).[2] The most severe of modern verdicts on Knox is that of Mr Froude: "In purity, in uprightness, in courage, truth, and stainless honour, the Regent Murray and our English Latimer were perhaps his equals." As to Murray and purity, Knox had none of Murray's avarice: he betrayed no man: he took money from none, to none did he truckle. He even urged clemency on Murray, after Langside fight, and the Regent spared his future murderer Bothwellhaugh. But, as Lethington said, Knox "was a man subject unto vanity." As a historian, he is, necessarily, a partisan, and is credulous of evil about his adversaries, and apt to boast, as the heathen Odysseus declines to do, over dead men and women. As a Christian, Knox's fault was to confine his view too much to the fighting parts of Scripture, and to the denunciations of the prophets. The "sweet reasonableness" of the Gospel was to him less attractive. He laid on men burdens too heavy to be borne, and tried to substitute for sacerdotalism the sway of preachers but dubiously inspired. His horror of political murder was confined to the murders perpetrated by his opponents. His intellect, once convinced of certain dogmas, remained stereotyped in a narrow mould. How little his theology affected, morally, the leaders of his party, every page in this portion of history tells. He was the greatest force working in the direction of resistance to constituted authority,—itself then usually corrupt, but sometimes better than anarchy tempered by political sermons. His efforts in favour of education, and of a proper provision for the clergy and the poor, were too far in advance of his age to be entirely successful. He bequeathed to Scotland a new and terrible war between the Kirk and the State. He was a wonderful force, but the force was rather that of Judaism than of the Gospel.

The new year, 1573, was marked by the tragedy of the castle,

and the fall of Mary's party as a party in arms. In August 1572 Lethington had written to Mary in a tone almost of despair.[3] Without money and aid from France, the castle must fall. The town was in the hands of the enemy, and Morton poisoned the wells near the castle. Sir James Balfour turned his coat, gaining a pardon from Morton (January 9, 1573). He was thought to be the deepest in the secret iniquity of Darnley's murder: later his knowledge was used to ruin Morton.[4] Balfour, apparently, betrayed the Castilians just before their approaching fall. Like Knox, he had joined the assassins of Beaton, and with Knox had rowed in the galleys. He next alternately betrayed Mary of Guise and the Lords of the Congregation. As Clerk Registrar he is supposed to have prepared the band for Darnley's murder, and he betrayed the castle to Morton. In a meeting at Perth on February 23, 1573, he procured the pacification of most of Mary's party who deserted Kirkcaldy; *he* had refused to desert them; the Gordons and Hamiltons abandoned her, and the affair of Darnley's death was to be slurred over for the moment.[5] Balfour passed on to other treacheries: already, at a meeting of the Kirk and commissioners from the Three Estates, Episcopacy had been established, the beginning of countless evils.[6]

The Castilians alone, since the pacification of Perth, and the surrender of Huntly and the Hamiltons, now supported Mary. James Kirkcaldy, with a large sum in French gold, had succeeded in landing at Blackness; but thence he could not move. The castle garrison suffered from want of water. Lethington could not endure the vibration of the gun-fire, and was laid "in the low vault of David's Tower." Surrender he dared not; the gibbet awaited him; Morton would never have let him go. Lethington knew too much. He persistently hoped that, from parsimony and fear of France, Elizabeth would never aid Morton with men and artillery. But Killigrew kept urging this course on her, and English engineers from Berwick sketched the fortifications, arranged and organised the attack, and justly estimated that it would occupy but a short time. James Kirkcaldy was captured by Morton, it is said, through the treachery of his wife; his gold was seized. A treaty had been arranged by Ruthven with Drury on April 17 to the following effect. The Crown property in the castle was to be retained for the king. Grange, Lethington, Lord Home, Sir Robert Melville, and Logan of Restalrig, if captured, were to be "justified" by

Scottish law, "wherein her majesty's advice shall be used." It was not used in Grange's case; Restalrig, Hume, and Melville were more fortunate.[7] An English force, with abundant artillery, now entered Edinburgh on April 25 under Drury. Trenches and mounds were dug and erected at close quarters. By May 17 thirty heavy guns were in position. The castle guns were in part silenced, and on May 26 the assault was given at The Spur, an outwork looking down the High Street. The Spur was taken, and a parley was called. Kirkcaldy and Robert Melville came out and had an interview with Drury. On May 28 Mary's flag was struck; the castle surrendered. In losing The Spur they lost their last poor supply of water; the garrison was exhausted and mutinous.

Among the captives were Lord Home, Lethington, Kirkcaldy, their wives, Lady Argyll, and Robert Melville.[8] Morton would admit the chief prisoners (the whole garrison was but 200 men) to no terms; the Queen of England must decide their fate. They were carried to Drury's quarters as Elizabeth's prisoners. Morton, says Killigrew, "thinks them now fitter for God than for this world, for sundry considerations." They knew too much about Morton.[9] Elizabeth (June 9) asked for information about their offences; Kirkcaldy and Lethington were in vain appealing to their old ally, Cecil, saying, "Forget not your own good natural." Happily for himself, Lethington died, doubtless of "his natural sickness." His body lay unburied, some atrocities were intended against it; but his wife, Mary Fleming, successfully appealed to Cecil, supported by Atholl and Drury himself. Morton hanged Kirkcaldy on August 3. A hundred gentlemen of Scotland offered their services under "man-rent" to the House of Douglas, if Morton would be merciful; nay, even offered £2000 yearly, and £20,000 worth of Mary's jewels. The preachers, he thought, clamoured for blood, and blood they must have. The prestige of the dead Knox would have been shaken if Kirkcaldy, for whom he prophesied hanging, had not died.[10]

In a more fortunate age Kirkcaldy might have been as honest as he was valiant. Indeed, if we may trust Sir James Melville, who certainly was much behind the scenes of diplomacy, Kirkcaldy's whole conduct while in the castle was that of a Bayard. Murray could trust him, though he could not trust Murray. When Morton first became Regent, Kirkcaldy might have made his peace on the

best terms; but Morton would not in that case admit Huntly, the Hamiltons, and the rest of the queen's party to terms. Kirkcaldy, knowing this, preferred to be betrayed rather than to betray. He was free, we are told, from avarice and ambition. There can be no doubt that, to Melville, Kirkcaldy seemed a very perfect gentle knight.

In any age Lethington would have been pre-eminent as a politician. It is almost impossible to conjecture why he made the fatal error of entering into the plot of murdering Darnley. That unhappy prince was then no longer dangerous; and Lethington naturally, and for private reasons, detested Bothwell, from whom he had far more to dread than from Darnley. It has been guessed that he expected Bothwell to rush to ruin, and so himself to escape from two enemies by one murder. But Lethington's acquiescence in the deed of Kirk-o'-Field was his own bane; it drove him fatally into Mary's fated party, and the castle was so gallantly held from no romantic attachment to the queen (of which we hardly find a trace in the history of the Scots of the day), but merely because for Lethington there was no safety beyond its walls. Outside the circle of Mary's personal attendants, her ladies, and such men as Arthur Erskine and George and Willie Douglas, with possibly Herries, and, as far as he dared, Robert Melville, romance in Scotland had no effect upon politics, though in England it was otherwise. Men acted as their personal interests, or seeming interests, inspired them; and loving loyalty to the queen is a refraction from the Jacobite sentiment of a later time.

Lethington's brother, John, and Robert Melville were spared when Kirkcaldy died, Robert owing his safety to Elizabeth. He was for many months held a prisoner at Lethington Castle and elsewhere, continuing to intrigue for Mary after his release. His examination was taken on October 19 before the Commendator of Dunfermline and others, the questions asked covering the period since October 1568. We have quoted this document several times, in relation to the intrigues at York. If Melville spoke truth, Lesley in his examination before Cecil did not. Melville was closely examined as to Mary's jewels in the Castle, and Mary declared that Morton hanged Mossman, the goldsmith, to prevent her from learning where her jewels were. She acquitted the late Regent Murray of dishonest dealing as to these valuable objects, of which three great rubies, three great diamonds, and

the diamond-set jewel known as "the H" remained in the hands of the widow of Murray, who married Colin, the brother and successor of Argyll. Morton, in the course of the next years, actually outlawed Argyll for not restoring the jewels, which Lady Argyll professed to retain in pledge for money expended by Murray in the public service. The dispute was finally pacified by Elizabeth, Argyll restoring "the great H" and other diamonds to Morton.[11]

History, if closely interrogated, is rich in details about such personal matters as these, but about the economic conditions of a people is apt to be silent. We might suppose that "the Douglas wars," now ended, had reduced the country to distress and destitution. Edinburgh had for years been bereft of her richer citizens: many of their houses were burned: the timber-work of others had supplied the Castilians with fuel. Glasgow, not then commercially important, had been threatened and distressed by the Lennox-Hamilton raids. "Gauntlets" (Thomas Crawford) had despoiled the Hamilton tenantry: in the North, Huntly's brother, Adam Gordon, had conquered the Forbeses and ruled Huntly's country at his will. The Borders, where public robbery was the rule, not the exception, had not only been devastated by Sussex and by Homes and Kers, but by the raids which Elliots and Armstrongs, Bells, Croziers, and Nixons, had been known to push as far as Biggar. Of the Highlands we know that the new Earl of Argyll (the Earl of the Darnley murder died in September 1573) hanged over 180 caterans in one raid of justice.

Yet, despite war, anarchy, and plunder, Scotland had increased in wealth and population. Just after Mar's death on November 11, 1572, Killigrew wrote to Cecil, "Methinks I see the noblemen's great credit decay in the country, and the barons, boroughs, and suchlike take more upon them, the ministry and religion increaseth, and the desire in them to prevent the practice of the Papists: the number of able men, both for horse and foot, very great and well furnished; their navy so augmented as it is a thing almost incredible." Yet Drury found Berwick flooded with Scots silver, valued at fifteen pence, but worth only ninepence. "A Scotch merchant declared that £100 English put into the mint would yield £1000 Scots."[12]

It is probable that the prosperity noted by Killigrew, both now and later, was confined to the Lothians, Stirlingshire, and Fife. As we have seen, the preachers had been obliged to submit to a form of Episcopacy, and their liberties were more or less trammelled by

Morton, who also robbed them of their livelihood. But these things, after all, were the rebukes of a friend. Whatever else Morton might be, he was decidedly anti-papal; wherefore many sins were forgiven him by the preachers. He is reported to have said that they were meddlesome knaves who would be none the worse of a hanging. This tradition is more or less borne out by a report on the state of Scotland sent in 1594 to Pope Clement VIII. by the Jesuits in the country. They say that "Morton was a man of prudence, and exceedingly anxious that everything should be done for the public good of the kingdom. He did not persecute the Catholics, . . . but even showed them a certain amount of favour. As for the ministers of his own religion, he treated them as men of no character or consideration. He was in the habit of continually repeating that there was no room for comparing the most wealthy of the ministers with the poorest of the priests whom he had ever seen: that in the priest there was more fidelity, more politeness, more gravity, more hospitality, than in the whole herd of the others."

The writer goes on to say that Morton was "asked to give four parishes to each minister," obviously that the preacher might become "a bloated pluralist." He himself "was anxious that these useless beings should be reduced to the fewest possible." So he gave them four churches apiece, but kept the revenues of three.[13]

This is not an impartial view: the ministers, on the other hand, were anxious to "plant" new kirks, as the records of the General Assembly prove, and were concerned about the ruinous condition of the buildings, some of which were used as sheepfolds. The preachers were so poor that they were allowed to keep taps, or alehouses. There must have been wealthier men in their ranks, or it would have been needless to forbid them to wear "silk hats," and garments remarked for "superfluous and vain cutting out," and "variant hues in clothing, as red, blue, yellow, and the like, which declares the lightness of the mind." "Costly gilding of knives or whingers" was also forbidden to the clergy, who, to be sure, needed whingers, for they, and their parishioners, were often prevented from attending church because they were involved in deadly feuds.[14] Learning was not on a high level. Archibald Douglas declined to adventure himself in the Greek Testament when examined for the parsonship of Glasgow; and a gifted preacher might be elected though ignorant of Latin. There were, indeed, men of learning and foreign education, like Rutherford, Ramsay, Syme, Henryson, and Smeton, with David-

son, of St Leonard's (author of the play on Kirkcaldy's hanging), who wrote a poem against pluralists, calling Rutherford a goose:—

"Had gude John Knox not yit bene deid,
It had not come unto this heid;
Had they myntit till sic ane steir,
He had maid hevin and eirth to heir."

Davidson was banished by Morton: his poem shows the distaste of many of the preachers to the innovations of the Regent.[15]

"This new ordour that is tane
Wes nocht maid be the Court allane;
The Kirk's Commissionars wes thare,
And did aggrie to less and mair,"

says the courtier, in Davidson's Dialogue.

"They sall be first that sall repent it,"

says the clerk, and the Kirk in 1575, and onwards, did repent of their concessions to Morton. As a result of his manœuvres, the worthier clergy were starved and overworked, while scores of young men of family, intruded on parishes, exceeded in silk hats and gilded whingers, neglecting and dilapidating their cures. Out of twenty-seven summoned to render account of their conduct, only three appeared. Among these three was not the vicar of Carstairs, "who hath slain the Laird of Corston."[16] Patrick Adamson of Paisley, later Archbishop of St Andrews, "waited not on his cure." The new bishops aimed at being independent of the censures of the General Assembly, and at avoiding the care of any particular flock. They were in simoniacal dependence on the great nobles, and were accused of private immorality.

Under Morton, in fact, the Kirk was being reduced to the same condition as the Church before the Reformation. Ignorance, profligacy, secular robbery, under a thin disguise, of ecclesiastical revenues, were all returning: ministers sold their livings. The bishops had none of the sacerdotal and mystic character which attaches to them in the Catholic faith, and even to some extent in the Anglican community. As rulers and organisers they had little or no authority. Morton's personal attitude, considering what the Jesuits say of him, is hard to understand. Politically, he was anti-Catholic, and struggled hard at this time to secure a defensive league with England and assistance in money against France and Mary's party. This Elizabeth, though urged by Killi-

grew to assent, declined to provide. She finally deserted Morton, like her other Protestant allies in Scotland, France, and Holland. Mere need of money, doubtless, was one of Morton's motives in his dealings with the Kirk. He also foresaw their turbulent interference with the State. But possibly, despite the cant which he knew how to use, he was really averse by taste from the rugged austerity of Presbyterianism.

The Kirk, and the country, whose character needed the severity and righteousness of the Calvinistic dispensation, were thus in hard straits. The Presbyterian establishment was on the point of becoming the tool of profligate politicians.

A glance at the proceedings of General Assemblies will serve to show the ecclesiastical perils of Scotland at this moment of transition. In August 1573 the Assembly met at Edinburgh, earls, lords, barons, *bishops*, superintendents, commissioners, and preachers being present. A recent Assembly of 1572, as we saw, had been shunned by the nobles, who, perhaps, were not minded to forfeit, banish, and slay all the Catholics of the country. Severe measures, however, were taken. On May 4, 1574, "a priest was hanged in Glasgow for saying of mass."[17] This was probably the priest who accused Archbishop Hamilton of Darnley's murder, on the strength, as he averred, of something revealed to him under seal of confession. Thousands of Catholics were driven abroad—some of them men of learning; more were swordsmen, who took foreign service in France and Sweden.

To return to the Assembly: its proceedings usually began by "trial of superintendents and bishops." The democratic Assembly delighted to rake up episcopal misdeeds. Douglas, the "tulchan" Archbishop of St Andrews, and the Bishop of Dunkeld were "delated": the former for acts of negligence; the latter on suspicion of simony, perjury, and want of due severity against idolaters like the Earl of Atholl. Strong measures were to be taken against all who harboured excommunicated persons. The Bishop of Galloway, a most undesirable prelate in all respects, was accused of being of the Queen's party; of praying for Mary; of giving thanks for the slaying of Lennox; of comparing himself to Moses and David, and was ordered to do penance in sackcloth. Morton set forth a godly preamble as to his intention about due payment of ministers. Inquisition into the crime of witchcraft was ordained; with other matters.

In the Assembly of March 1574 the Archbishop of St Andrews was "put at" again,—for being a pluralist, for nepotism, for not preaching, and other misdemeanours. The Bishop of Dunkeld had not yet excommunicated Atholl, and had allowed a corpse with a super-cloth over it to be carried into a church "in popish manner." The Bishop of Moray was delated of an amorous intrigue with a young widow. Censorship of literature was attempted; the process lasted for some years. It was decided that the powers of bishops in their dioceses should not exceed those of the superintendents, and that they should continue to be subject to the discipline of the General Assembly. Morton, as we saw, had induced the Kirk to yield to him their thirds of the benefices; he would take care that the stipends to each minister should be duly paid within each parish. As soon as the preachers permitted this course, Morton simplified matters by assigning several kirks to each minister, and keeping the stipends himself. The Assembly remonstrated, but to no purpose. It continued to be troubled about the morals of the Bishop of Moray; about the singular reluctance of the Bishop of Dunkeld to excommunicate his most powerful neighbour; about the introduction of heretical books "by Poles, crammers" (keepers of stalls, or *crames*), "and others"; and about the destruction of "monuments of idolatry." Many kirks were found to be ruinous throughout the country.

The assent of the Kirk to the arrangement made at Leith in 1572 had only been provisional, and subject to parliamentary alteration. At this juncture, 1575, a new Knox arose in the person of Andrew Melville, and the great question of Episcopacy became prominent, with all its consequences of civil war waiting to be developed. The quarrel is one which tempts to partisanship. It has been shown that Morton's new mongrel kind of Church government was of the most profligate and ruinous kind. The Scriptural and apostolic character of Episcopacy, with all the arguments from the New Testament and from ecclesiastical tradition, cannot here be discussed. Morton's kind of Episcopacy, at all events, was unscriptural, untraditional, and intolerable. Here is an example of the working of the system. Morton's children were all bastards, and were provided for thus. "Pension by William, Bishop of Aberdeen, of £500 to Archibald Douglas, son natural of the Regent." "Pension by Henry, Commendator of Dunkeld, to James Douglas, son natural of the Regent." "Pension by Robert, Bishop of Caithness,

of £500 to George Douglas, son natural of the Regent."[18] On the other side, the conduct of Andrew Melville and other opponents of Prelacy was marked by courage rather than by amenity and sweet reasonableness. The men were fighting for the Revolution of 1560, and as time went on, and James became king in earnest, they were fighting against foreign and Catholic intrigue. Melville was a warrior: he could wear corslet and carry spear like any old martial bishop of mediæval times. The rudeness of his manners repels sympathy, and the theocratic pretensions of the Kirk, which revived under his influence, were incompatible with the legitimate freedom of the individual citizen, and with the political supremacy of the laity in the State. The questions at issue could only be settled in a struggle for existence, which practically lasted for a hundred years. Out of the clash of these two forces, both fierce and intolerant, a *modus vivendi* was evolved after the fall of the Stuarts, whose tyranny, subduing the wild "high-flying" temper of the Kirkmen, made compromise possible.

The leader but for whom the Kirk might have sunk into a listless tool of the State, or rather of the party in power, must be described. Andrew Melville, son of a valiant laird slain at Pinkie (1547), was born at Baldovy in 1545. At Montrose he learned Greek under Marsillier, and in 1559 proceeded to the University of St Andrews. Here he alone, in the university, read, not in Latin translations but in Greek, the Ethics of Aristotle, "which are the best." He appears to have known George Buchanan, and at twenty was the subject of Latin Elegiacs by a wandering Italian scholar, Pietro Bizzari. His "honeyed words" are praised: they were not his most notable characteristic. Proceeding to Paris, he read under Turnebus, and the revolutionary logician, Ramus. Edmund Hay, a Jesuit who was in Scotland at the time of Darnley's murder, and who had no illusions about Queen Mary, was organising the College of Clermont, and put Melville on his mettle. In 1568 Melville was at Poictiers during the siege, whence he went to Geneva, and was associated with Beza. He pursued his Greek and oriental studies, returning to Scotland, an accomplished scholar and ardent Calvinist, in July 1574. He was offered the place of tutor to Morton's children, but preferred the Principalship of Glasgow University, for which he secured new endowments, reorganising the studies, and establishing discipline. Spottiswoode's story about his desire to destroy the cathedral is not corroborated by records, though it has a strong hold

on tradition. A man of extraordinary energy, wedded to his own opinions, and better fitted to support them by scholarly argument than any other in Scotland, Melville in 1575, as a member of the General Assembly, and a member of the committee which met Morton's commissioners, "stirred up John Drury . . . to propound a question touching the lawfulness of the episcopal function, and the authority of chapters in their election."[19] Melville advanced the usual arguments about the *episcopos* and the *presbyter*. The chief result of the discussion was to allow for the present the name, and to curtail the authority, of bishops, who must each take charge of a particular "flock" and kirk within their dioceses. This Boyd, Archbishop of Glasgow, declined to do. There being a vacancy at St Andrews, Morton had Patrick Adamson, a man of some learning, and of an unhappy future, elected: the Assembly found that he refused their conditions, and meanwhile suspended him. Matters remained unsettled till the Assembly at Dundee (July 1580), for new troubles were vexing the State.

It is now necessary to glance back at the secular affairs since 1574. They are of an incidental sort, with little bearing on the main tendency of things. Killigrew in 1574-75 made no speed in "the great matter" of handing over Cecil's "bosom-serpent," the Queen of Scots, to execution in her own country. Elizabeth was coquetting with the Alençon marriage: her attention was distracted by the death of Charles IX., and in April 1575 Walsingham feared that Morton, neglected by England, was favouring the Hamiltons and looking towards France.[20] Killigrew and Davison, the secretary, later so unhappily connected with the execution of Mary, were on their way to Scotland when the Border peace was broken on July 7 by the raid of the Reidswire.[21]

At a Warden court, Sir John Forster and Sir John Carmichael presiding, a brawl arose among their followers; the Scots had the worse, but were reinforced from Jedburgh; Sir John Heron was slain, and the English Warden, with many gentlemen and some 300 followers, was captured. Sir John Forster behaved with tact and good sense, refusing to make a national quarrel out of a chance onset, but Elizabeth ordered Morton to meet Huntingdon in England. This Morton refused to do, and Elizabeth compromised for a meeting at the "Bond Rode" on the frontier, near Berwick.[22] Huntingdon, like Foster, was pacific, and sensible.[23] The affair, he said, was but "a brauble." Nobody was certain whether the Jed-

burgh people first called "A Jeddart! a Jeddart!" or whether the Tynedale men began to shout and shoot. Elizabeth's fiery messages were not delivered to Morton, who patched the quarrel up with Huntingdon on August 16-19.

Killigrew had entered on his embassy, and sent in a long report of Scottish affairs.[24] There was a kind of renewal of the king's and queen's parties. The laird of Lochleven, William Douglas, who sold the Earl of Northumberland, had laid an ambush for the Hamiltons, to avenge Murray on Bothwellhaugh; and Arbroath, son of Châtelherault, was in fear of his own responsibility for Murray's murder. He therefore aimed at marrying the widow of Buccleuch, a sister of Morton's nephew, the Earl of Angus, and at thus allying the Hamiltons with the Regent. This placed Argyll and Atholl, Buchan and Mar, in opposition to Morton and the Hamiltons, while old Châtelherault died, after a long and varied career of good-humoured and fickle incapacity. Arran was still confined in Draffen Castle as a lunatic; meanwhile Morton temporised as to the Hamilton-Angus marriage. Sir James Balfour was still tolerated by Morton, after his countless treacheries, and was used when the Regent "would *contrary* the ministers" or the citizens of Edinburgh. Morton, though not popular, was fearless, and went shooting or enjoying the contemplative recreation of angling almost unattended. The Esk at Dalkeith was not yet poisoned, and the Regent must have found it an ideal stream for trout and sea-trout. Because he "contraried" the burgesses, Morton, naturally, was popular with the working classes, whom Killigrew reckoned much more important. Morton's enemies admitted that "they could not find his like" as a ruler. Bothwell, in Denmark, was now reported to be "greatly swollen" and near his death. He had still a stroke at Morton in him, if his dying confession be authentic, and, if not, it was still useful. The country was peaceful and prosperous, and it is almost a comfort to learn that, in days when river-pollution was unknown, and Tweed poachers less skilled than in our day, "the fishing of salmon is this year utterly failed in Scotland, and at Berwick also." Corn was never so plentiful, so the want of rain cannot have been the cause of this dispensation, though a dry autumn may have prevented fish from running up. Our comfort lies in thinking that, as bad fishing seasons of old were followed by good, so it may be again, "who live to see it."

Killigrew found Morton apparently strong and prosperous. But the affair of the Hamilton marriage already indicated the chance of an Argyll and Atholl opposition. Spottiswoode also tells us that the Regent's cruelties were disliked. One of the queen's Maries, Mary Livingstone, had married John Semple of Beltrees. Morton tried to wring from him some lands given by Mary to his wife, and Semple had said something perilous. It was suspected that the Hamiltons had instigated him and his nephew, Whitford of Milnton, to shoot Morton. Threatened with torture, Semple, not a brave man, confessed; but Milnton, even under torture, denied the charge, and had public opinion on his side.[25] Whatever truth there may be in this anecdote, we observe after the Reformation the increased employment of torture to extract evidence. In the earlier part of Scottish history we seldom hear of this cruel and detestable practice, at least as exercised on gentlemen.

We now find Morton conscious that his position was imperilled. As early as November 1574 he was reported by the Spanish Ambassador to intend to marry Queen Mary.[26] He now looked in the same direction. On April 15, 1577, Lord Ogilvy wrote to Archbishop Beaton, Mary's ambassador in France, a letter unknown to Mr Tytler and earlier historians. It contained matter already touched on in July 1576 by Beaton of Balfour. Morton, in short, was anxious to deal with, or pretended to be anxious to deal with, Mary and France. When James should come to power Morton had reason for anxiety. He knew what befell the Boyds when the young James III. came to his own. He knew that his enemies would put at him, and use as their instrument his connection with Darnley's murder. Sir James Balfour, with Beaton, was intriguing for the queen, and as to Darnley's murder, Balfour knew everything. "Ane schamful bruit" as to Morton's guilt prevailed among the populace. Therefore Morton in 1577 spoke "reverently" of Mary, desiring her restoration, if James died. He would rather serve her and her race than any of the world, as God was his judge. Granted an amnesty, he would work for a restoration of the queen. Sir James Balfour was as friendly as Morton. Both only wanted assurances from Mary. The queen put no more confidence in Morton's professions than did her descendant, the King over the Water, in those of Robert Walpole when that Minister's power decayed. She feared a trap. But the advances of Morton prove that he knew the dangers of his position.[27]

We have already seen indications of a coalition between Atholl, Argyll, and Mar against the Regent, to whom Argyll was hostile because of the forced surrender of Mary's jewels. Atholl, too, could not well be content, as he was threatened with excommunication for idolatry. Mar, a very young peer, had not been intrusted with the guardianship of James, who was in the hands of his father's brother, Alexander Erskine. But for a while Argyll and Atholl were quarrelling, and attacking each other's countries, Argyll about the same time being at feud with Clan Donald. In this affair Argyll incurred Morton's displeasure, so he and Atholl again drew together.[28] Alexander Erskine also began to distrust Morton's intentions as to seizing James. He induced Argyll and Atholl to visit him at Stirling, where Argyll appealed directly to the boy king against the tyranny of Morton, and asked for an assembly of the nobles. Atholl urged the same advice: troubles were brewing, and Elizabeth, through Bowes and Randolph, attempted to reconcile all parties (January 30, 1578). In March Lady Lennox, the mother of Darnley, died in England, to all appearance reconciled with Mary, and a believer in her innocence. To Elizabeth Lady Lennox concealed this change of mind, if a change there was, but that she would have done in any case. We are left to conjecture as to whether the reconciliation was sincere, or whether Lady Lennox feigned cordiality for the sake of advantages to be drawn from Mary.[29] In any case, she had given Mary written assurances of belief in her innocence. The death of this lady opened the path for Stewart d'Aubigny in France, whom James later created Duke of Lennox. Meanwhile, in England, her granddaughter, Arabella Stewart, child of Charles, younger brother of Darnley, was to inherit the sorrows of the line. The Lennox estates in England remained for many years the desire of James's heart.

On March 4, 1578, the intrigues of the nobles against Morton came to a head. They had of their party the king's tutor, George Buchanan, who had quarrelled with Morton, says Sir James Melville, about a favourite horse, which the Regent seized. On March 4, Argyll at Stirling, backed no doubt by Buchanan, requested James to call a convention of nobles. Alexander Erskine, who held Stirling Castle, was of the same mind, with Atholl, Montrose, Livingstone, Lindsay, Ruthven, Ogilvy, the Chancellor (Glamis), the comptroller (Tullibardine), and the secretary, the lay Abbot of Dunfermline. Morton sent Angus, Herries, and Ruthven: he

announced his readiness to resign the Regency. His offer was accepted, he received a discharge, and resigned the Castle of Edinburgh, where a skirmish occurred. On the same day Glamis, at Stirling, was shot in a scuffle between his followers and those of Crawford. Alexander Erskine was to be keeper of Edinburgh Castle, held for James in the meantime by Drumquhassel and Seton of Touch. Atholl succeeded Glamis as Chancellor. The death of Huntly (sudden, and followed by hauntings of his castle, described by Knox's secretary) removed another of the chief conspirators against Darnley. Bothwell, Lethington, Argyll, were also dead, but vengeance still hung over Morton. He submitted to his fall with singular patience: he had his plan in reserve, and Randolph knew it. A council of nobles, the successful revolutionists, was appointed for James; and a Parliament proclaimed for July 10.[30]

Things were not to move peacefully: "all the devils in hell are stirring," wrote Randolph, to whom, as to Elizabeth, a Scotland quiet under Morton's heel was an ideal Scotland. From her English prison Mary was making a new party in Scotland. On April 26, 1578, the young Earl of Mar, jealous of his uncle, James's Governor, Alexander Erskine, came with armed men into Stirling Castle. Blows were dealt in the early morning, and Erskine's son was crushed to death in the mellay, where his father plied a halbert. Argyll pacified the tumult, James endured the first of his many terrors in his own palace, Alexander Erskine fell ill from grief and chagrin, and young Mar was master of Stirling Castle and of James, being backed by the laird of Lochleven, Angus, and the secret influence of Morton. In short, it was a Douglas *coup d'état* of the old kind.

A compromise was effected. Mar was retained in his father's office of governor of James and commander of Stirling Castle, and James really seems to have liked and trusted all the Erskines. Argyll, Atholl, and Morton met at the ex-Regent's house of Dalkeith, where they dined and slept. But at breakfast Morton was missing: he had ridden secretly to Stirling, joined Mar, and was as powerful as ever (May 28, 1578). On June 18 Morton at Stirling secured the appointment of a new Council, himself holding the foremost place. He desired the Parliament of July to be held at Stirling; his adversaries declared for Edinburgh, and sent Lindsay and Ruthven to Stirling to protest against the Parliament held there. There were

disturbances; the anti-Mortonites raised the townsfolk of Edinburgh. In brief, the two hostile parties armed, and the anti-Morton faction advanced with a large army, Lowland and Highland, to Falkirk. But Bowes, Elizabeth's ambassador, negotiated a peace, while Morton's foes were arrayed at Bannockburn. A reconciliation was made; Argyll, Lindsay, and Ruthven were placed on the Privy Council, and after August 13 the hostile forces dispersed, and at the end of October a friendly dinner left the disputants in good humour.[31]

In these turbid waters Mary and Lesley, who was now abroad, had been fishing, and intriguing with the Guises. Her trust was that, by Atholl's aid, the Guises might secure the person of her son, whereas she suspected Morton of meaning to intrust him to Elizabeth. She had hopes from the Hamiltons, and, strangely, from Drumquhassel, who, as a retainer of Lennox, had in 1567-70 been her bitter enemy. Now she dreamed that he might put Dumbarton again into the hands of her friends. She was especially anxious that Stewart d'Aubigny, a nephew of the late Regent Lennox, brought up in France, should not be employed by the Guises in the scheme of carrying James off to France. She did not trust him, and to employ him would be to alienate the faction of Arabella Stewart, Darnley's niece. She remembered that d'Aubigny's uncle, Lennox (Darnley's father), had been sent from France when she herself was a baby, and had revolted to England, carrying off the French gold intended for the party of Cardinal Beaton. Drumquhassel was to manage all the intrigue as to handing over James to the Guises. Mary was sending a symbolic token, in enamelled gold, to James, by the emissary of the Guises, who must not be d'Aubigny, and must deal with Drumquhassel and Alexander Erskine. She apparently regarded Atholl and Argyll as at her obedience, her bitterest hatred being reserved for Morton. All this Mary wrote to her ambassador in France, Archbishop Beaton, from Chatsworth, on September 15, 1578.[32]

Dreams, hopes, jewelled tokens, helpless intrigues of exiles and captives! The letters of Mary, like the letters of James VIII. and Prince Charles, revolve in the same sad circle of impossible desires and frustrated designs. For years, in one form or other, Mary and her foreign and Catholic allies or well-wishers were to strain to win James to the French alliance and the Catholic faith. For this was blood to be shed, against this were myriads of sermons to be preached, till the young king, often a prisoner, always insulted by

the preachers, took that prelatical and despotic bent which was the ruin of his son and of his House, and the cause of the civil war. The letters of Mary and of Lesley were interrupted and deciphered. Elizabeth and Cecil always knew exactly the budding and blossoming times of the plots, and they held by Morton as their best security. Their confidence in Morton was not misplaced. Probably the most dangerous of his opponents was the Earl of Atholl. He had taken no part in, and had no knowledge of, the conspiracy to murder Darnley, which, save for Huntly, was an entirely Protestant arrangement, whereas Atholl was a Catholic. (While remembering this, we must not forget that the Catholic party wanted the lives of Murray, Argyll, Lethington, and Morton.)

On November 8, 1578, Bruce, a treacherous agent of Archbishop Beaton, describes Atholl as most loyal to Mary, and as keeping Argyll constant to her cause. But Lady Argyll appears to have been fickle. Bruce represents her as encouraging James in the love of his imprisoned mother; but James "is already very arrogant, and a great dissembler, and likely to resemble his father (Darnley) and grandfather (Lennox) in cruelty and want of judgment." Lady Argyll's own loyalty to Mary was suspected.[33] Atholl being thus the mainspring of Mary's plans, died suddenly (April 25, 1579) after a banquet given by Morton at Stirling to unite the assembled nobles. Accusations of poison always were bandied after a "natural" death: in Atholl's case there seem to have been some grounds for suspicion, his death being so extremely opportune for Morton. One Provend, or "Weirdy," was said to have bought the poison, and one Jerdan to have administered it. Weirdy fled to France.[34] On the other hand, dangerous surfeits after political dinners were common enough. In August 1580 both Morton and Lennox were "grievously troubled with the flux by surfeit lately taken at the Lord Lindsay's house." Atholl may have died of haggis, friar's partens, sheep-head, and cockie-leekie.[35]

The new Earl of Atholl, aged eighteen, and Montrose called for justice; but Morton and Angus, seizing the occasion of Atholl's death, marched against the Hamiltons (Lord Claude and the Lord of Arbroath), took Hamilton Castle, and hanged the garrison. The Pacification of Perth, as we saw (February 1573), left the charge of Darnley's murder still hanging over the Hamiltons. Now "that two-handed engine" was dragged out to smite Morton's foes: a little while, and it smote himself. The Lochleven Douglas, Mar,

and Buchan were avenging the Regent Murray, and would gladly have extirpated all Hamiltons. They took Draffen Castle, but Lord Claude and Arbroath had fled the country. The people about James had inflamed his anger against the Hamiltons, a thing easy to do, as they were his nearest heirs. Captain Arrington, whom Elizabeth sent to Stirling, "could not find in the king other than fervent hatred against them, and as it were a fear he had of them . . . to be dangerous to his person." George Buchanan had taught him that the Hamiltons, the Archbishop, and Lord Claude were the murderers of his father, as the House certainly was guilty of Murray's death, and Lord Claude was implicated in Lennox's destruction. A boy of thirteen is apt to dread men whom he believes to have killed his grandfather, uncle, and father. Elizabeth laboured and entreated for Lord Claude and Arbroath, but her remonstrances were not well received. With the Hamiltons was banished Sir James Balfour, who instantly began a correspondence with Mary through Archbishop Beaton, and presently had the satisfaction of bringing Morton to the block.

The ecclesiastical events of the summer of 1579 were important, but it seems better to introduce an account of them later, and at present to follow the course of political intrigue. In May Mary was anxious to communicate with her son, and hoped that Archbishop Beaton would be allowed to visit him (May 31).[36] On June 7 she wrote to Robert Bowes, Elizabeth's ambassador in Scotland, whose dry letters make us regret the lively Randolph. She announced the arrival of her secretary, Claude Nau, in Edinburgh. Elizabeth had given permission for his visit; but his packet of letters and the symbolic jewel for James were not accepted, because Mary could not bring herself to address her son as king. Thus it never was possible to bring about an understanding between Mary and James. Nau and others assured Mary that she was dear to her son, though "the poor child does not show it in the captivity he is, fearing therethrough, as there is great appearance, the hazard of his life" (July 4). Morton alone prevented the Council from permitting James to receive Nau's parcel.

In September Esmé Stuart d'Aubigny landed in Scotland. He was the son of Lennox's brother, Darnley's uncle, John; was a man accomplished, attractive, false, and instantly became a great favourite of James. He came to Stirling on September 15, and at once grew intimate with the captain of the guard, James Stewart,

a son of Lord Ochiltree, and brother-in-law of John Knox, a brave adventurer, soon to be the most powerful man in Scotland. On September 30 James at last visited Edinburgh: "he was ane great delyt to the beholderis," whose trade had long suffered from the absence of the Court.[37] James was welcomed in various ways by his loyal lieges, and attended a Parliament held on November 11 and 12. Here the Hamiltons, Lord Claude and the Lord of Arbroath, were forfeited, and that in despite of Elizabeth's wishes conveyed through Captain Arrington. On October 20 the captain had informed Cecil that d'Aubigny would probably receive the earldom of Lennox, with grants out of the lands of the ruined Hamiltons. The prophecy was fulfilled; d'Aubigny, now to be known as Lennox, obtained the rich Priory of Arbroath, and the custody of Dumbarton Castle, the old gate of France into Scotland. The captaincy nominally remained in the hands of Drumquhassel, once the foe, now the friend, of Mary. Naturally the preachers were alarmed,—"they cried out continually against atheists and papists, that would turn to his majesty's ruin, and the hurt of the trew professors."[38]

The professors were in an undesirable position. They had to choose between Lennox, presumed to be an atheist or a papist, and Morton, whose private and public character gave opportunities to the ungodly. At that time the Press was beginning to exist in the shape of pamphlets, and of "placards," a kind of leading articles, set up in public places. Calderwood, a rather soured divine, but an astonishingly industrious and learned historian, who lived into the age of Charles I., has preserved for us one of these placards directed against Morton, and fixed on the cross of Edinburgh. The public was invited to consider whether Morton "had ever, or yet hath, any regard to the glory of God," and history must acknowledge that this was not his ruling motive. It was true, the placard admitted, that Morton had ruined the Hamiltons, a thing pious in itself, but it was done for private reasons; on the other hand, he had spared Buccleuch, who was with the Hamiltons at the death of the Regent Lennox, and had looked through his fingers at Ferniehirst, suspected of being art and part in Darnley's murder. The country, said the journalist, "ought first to pursue the king's cruel murder against the Earl of Morton." Sir James Balfour, if he had been permitted, would have showed the band for Darnley's death, "as he will do yet, God willing, when time and place may serve."

With all his faults, Morton was now, as a sound anti-papist, the darling of the Kirk which he had robbed. It was therefore necessary that Lennox should conciliate the Kirk. He professed to bring an open mind to the consideration of their tenets. His "little master," young James, was already a theologian, and it was a touching sight to see the young Josiah striving to win his elder kinsman from Baal and the Scarlet Woman. He lent Lennox books of controversy, and accompanied him to the sermons. On April 11, 1580, Arrington reported to Bowes a suspected plot of Morton's to seize the king at Stirling. On the 16th Bowes wrote to Walsingham with the news of a counterplot of Lennox and Argyll to carry James to Dumbarton, whence he might easily be taken to France. Thence Sir James Balfour was expected to arrive, with the eternal band that was to ruin Morton—a paper that either did no longer exist or was deemed by Balfour too dangerous to produce. Elizabeth sent Bowes to undermine Lennox: she was ready even to pay pensions to the lords—the only really efficacious argument.[39] Bowes on his arrival found that one class of men were not venal, the ministers. A single "reader" in James's household took a present, the tutor, Mr Peter Young, and the rest refused money. This is a crucial proof that the Reformation, which only added hypocrisy to the vices of the nobles, was really "working for righteousness." Of yore one man, Buccleuch, had spurned with curses the offers of Henry VIII.; now the real leaders of the people, the preachers, were of like mind.[40]

The mission of Bowes opened with intercession for the banished Hamiltons. Lord Claude had defended himself against the various charges of murder in a letter to Elizabeth (January 29, 1580).[41] Bowes touched on a scheme of Lennox's for placing near the king George Douglas, who organised Mary's escape from Lochleven, and was her trusted servant. There had also been a scheme to imprison Morton, and use against him his robbery of the Kirk. The revolution of the Court was to have been effected at Doune Castle, and James himself told Bowes some of the details. He feared the affair would end in a fight, and returned to Stirling. This was the intrigue at which Mary had been working: it was defeated, but James obviously disliked Morton.

It was more important that Lennox, and his retainer Henry Ker, "are now so earnest Protestants as they begin to creep into credit even with the ministers at Edinburgh, that have written in their commendations to the king's ministers" (May 10, 1580).[42] If the

godly accepted Lennox, Morton would indeed be in danger. James, in July, happened to be with Morton and Lennox in the New Inn, or *Novum Hospitium*, of St Andrews. As they looked from the gallery at a pageant, a lunatic seaman, Skipper Lindsay, began an amateur sermon in the open air. Morton was standing "gnapping upon his staff," when the crazed fellow "warned the earl not obscurely that his judgment was drawing near, and his doom in dressing."[43] But Morton, we shall see, was then in treaty with Lennox.

When the General Assembly met at Dundee in mid-July, Lennox wrote to inform the Brethren that he had now "been called to a knowledge of his salvation," and had already "made open declaration of his calling" in kirk at Edinburgh, and at Stirling. Mr Henry Ker had also "long lain in blindness," but now had seen a great light. Both gentlemen earnestly desired the services of a Huguenot preacher to confirm them in the truth.[44] A difficulty with Lennox was to get Dumbarton Castle into his own hands, for Bowes had now bought Drumquhassel, the actual captain of the place, with a bribe.[45] Morton, too, was won over to execute a plot to get possession of James, as usual, in Elizabeth's interest, if she would plainly state her terms.[46] In short, through the summer of 1580 there was an English conspiracy flattered by Elizabeth, and a Marian conspiracy worked by Lennox, Archbishop Beaton, and Lesley, who was hanging about Dieppe in readiness to return. James met with an awkward accident in July: his horse fell on him, his attendants drew their swords to kill the beast, but both steed and monarch escaped unhurt.[47] In politics Morton was unable to move. Elizabeth would not show her hand, and Lennox and he were making overtures for amity, as Archibald Douglas, employed as go-between, reported to Bowes. This private negotiation prevented violent doings at St Andrews at the time when Skipper Lindsay prophesied to Morton.[48] A surfeit from overfeeding (p. 263), which attacked both Lennox and Morton, delayed, *sine die*, their reconciliation.

The chief aim of Lennox, and of the Marian conspirators, had been to convey Dumbarton Castle into Lennox's own hands. This seemed to have been secured when Drumquhassel, a Lennoxian, got the captaincy. But Bowes, as we saw, had purchased Drumquhassel. Lennox was not defeated. On August 25 he caused the gates of Edinburgh to be closed, netted Drumquhassel, who was in the town, excluded Morton, who lay at Dalkeith, and compelled Drumquhassel to give up the keys.[49] Bowes sent intelligence to

Walsingham, who on August 31 commissioned him, first to remonstrate strongly with James, seeing that Lennox was "a professed enemy of the Gospel," and then, *if* remonstrance failed, to try murder. Elizabeth bade him conspire with Morton to "lay violent hands on the said" enemy of the Gospel.[50] Elizabeth would give all assistance. This was on August 31; on September 1 Elizabeth again sent contradictory injunctions. Force was not to be used, no assistance was to be promised till further notice. Walsingham deplored "our unthankfulness towards God," in thus withdrawing from a work so acceptable as murder. Godliness has its remorses.[51] Bowes was now merely to threaten James with loss of the heirship of England, and to accuse Lennox before the Council, in the absence of the accused, that being, as in Mary's own case, Elizabeth's idea of justice. It was not that of the Council. Bowes continued to plot, Morton to waver. The clergy denounced "Papists with great ruffs and wide bellies," Lennox and his company. Ruthven, with Robert Melville and Lethington's brother, John Maitland (who probably represented Lethington on the scene of Darnley's murder), were won over to Lennox's faction. Both Morton and Lennox rebuked the preachers, Morton speaking severely of the turbulent John Durie. By a letter of October 7 Bowes was recalled, to the consternation of Morton: Elizabeth had deserted him. A guard of thirty gentlemen was appointed for the king, including Mary's friend, George Douglas, and Captain James Stewart of Ochiltree, brother-in-law of Knox, a soldier of fortune who had been in France, Sweden, and Russia, and was to become practical Governor of Scotland.[52]

The recall of Bowes was Morton's death-warrant. His intrigues with Bowes, and the plot to kill Lennox (which Bowes had kept working at), were probably known. A man who dealt, as Morton did, through Archibald Douglas, was certain to be betrayed. That Archibald was the traitor may be inferred from his character, and, moreover, from the circumstance that Morton, on the last day of his life, openly declared that his cousin and retainer, Archibald, had been present at Darnley's murder. He informed against no other man, dead or alive. Aware of Morton's danger, Elizabeth in November instructed Lord Hunsdon to go to James, threaten him, bribe, form a new party, and rescue her accomplice. She then withdrew her instructions, and left the Earl, as was her wont, to his fate.[53]

Morton was to have been arrested on December 26. On that day James, either because "his better nature prevailed" (as Mr Froude conjectures) or with the Judas-like dissimulation which he later showed to Somerset, went out hunting with Morton, and treated him with special kindness. Lord Robert Stewart, Mary's brother, now Earl of Orkney, gave to Morton, as he had given to Darnley in Kirk-o'-Field, warning to fly. Morton would not be advised. Perhaps he did not know that throughout the year Sir James Balfour, in France, had been entertaining Mary with tales of his possession of the Darnley murder-band, implicating Morton. Mary had no confidence in Balfour's professions, but she kept him in hand, and now Balfour had secretly landed in Scotland, arriving on December 27. The probability is that his absence caused James to defer the arrest intended for December 26.[54] On the last night of December 1580 Morton was accused in presence of the Council.[55]

The scene was a repetition of that in which Crawford accused Lethington. Captain James Stewart of the Guards entered the council chamber, fell on his knees, and charged Morton with *foreknowledge* of Darnley's death.[56] Morton rose disdainfully, protesting his innocence, and his past diligence in pursuing the murderers. "For that," said Stewart, still kneeling, "why did he prefer Mr Archibald Douglas, his cousin, to the place of a Senator of the College of Justice, who was known to have been an actor in that murder, if he himself had no part in it?"[57] Stewart sprang to his feet, both men laid hand to hilt, the burly Lindsay and Cathcart sundered them and took them forth from the chamber. Morton returned, Stewart again rushed in, a new ruffle began, and was again put down. Morton was locked up in a room of the palace, while Angus and Lennox declined to vote on the matter, and Eglintoun suggested that the king's Advocate should be consulted. He advised committal and trial, and on Monday, January 2, 1581, Morton was warded in Edinburgh Castle. Craig in his Sunday sermon inveighed against "false accusations." The accusation was perfectly true, but then Morton was a "professor," and that was enough. Stewart drew his dagger, and warned Craig that the pulpit should not protect one who slandered him.[58]

Meanwhile Archibald Douglas had been warned and had fled to Berwick, where he arrived on January 6. He professed his readiness to justify himself, if examined without torture. His absence

delayed Morton's case, and for once we may regret that Archibald was not treated with the boot, which must have extracted valuable historical information. On Monday, as we saw, Morton was committed to Edinburgh Castle. As he went he was cursed by a woman whose husband he had hanged for making a ballad. Many a man whom Morton had injured was glad, but professors regretted the fall of one who "had done so much for establishing of religion."[59] He had many private foes, however, and, even among the godly, Lord Ruthven was then at feud with him. On January 18, 1581, Morton was carried to Dumbarton Castle for greater security. On the next day Randolph arrived in Edinburgh: Elizabeth was moving in Morton's interest. She would try diplomacy through Randolph; she moved a force, under Hunsdon, to the Border, and Randolph in Edinburgh, Bowes at Berwick, intrigued with Angus and the Douglases in favour of a plot to seize James and lay violent hands on Lennox. The go-between was Douglas of Whittingham, brother of Archibald, and, like him, a judge. Bowes's letters are full of expectations of a "strange masque at Holyrood," a new affair of Riccio.

But all was vain. Randolph (January 25) tried the effect of producing two intercepted letters of Archbishop Beaton to prove that Lennox was an agent of France and of the Jesuits. James told Randolph that the letters seemed to be forged, or written by Beaton, a partisan of the Hamiltons, to discredit a Lennox Stewart. The Estates assembled on February 20, and Randolph harangued them on the 24th. He produced no effect, the Estates voted supplies in case of an English invasion. Holyrood was guarded closely by James Stewart. On March 8 the king agreed to settle English disputes by a meeting of commissioners on the Border. Meanwhile a scheme had been contrived to enter James's rooms by false keys, kill Lennox, Argyll, and Montrose, and carry James to England. This appears to have been a plot of Angus; Randolph professed his disbelief in it when it was discovered. The conspiracy was brought to light through the arrest of Whittingham, Affleck, Jerdan, and other agents of Morton and Angus. Though not "offered the boots" (torture in the boot), Whittingham revealed the whole affair, and accused his ingenuous brother, Archibald, of forging the letters which Randolph employed to discredit Lennox. Bowes protested that when he forwarded the letters to London from Berwick, where Archibald was residing, he believed

them to be genuine. This was not the opinion of four of the Edinburgh preachers, who attested Whittingham's confession. "The ministers have seen it, and in their sermons give God great thanks therefor," writes Randolph to Hunsdon on March 20. If the very preachers admitted that Lennox was falsely accused, the case looks black for Archibald and the letters attributed to Archbishop Beaton, which he intercepted, and handed to Bowes. The confessions of Whittingham made Randolph's position perilous. A placard asked why he came from Elizabeth to complain of James's liberality to his kinsman, Lennox. Had Elizabeth not been liberal to Leicester and Sir Christopher Hatton? Elizabeth was now asking for the expulsion of Sir James Balfour. Why had she never objected to him through the years when he was Morton's chief adviser? Why did Elizabeth shelter Archibald Douglas, one of Darnley's assassins, while her conscience so suddenly stirred her against Sir James? If Elizabeth's Protestantism was alarmed by Catholics near the king, why was she treating for marriage herself with a Catholic, the brother of the King of France? Did Randolph take pleasure in the society of owls and nightingales? was that why he had nocturnal meetings with Angus and Mar?

These questions, in which we may guess the hand of Lethington's brother John, were fixed on Randolph's door on March 13. Affleck had confessed on March 12; so, probably, had Whittingham.[60] The astute Randolph had met his match at last. Some less ingenious disputant fired a shot through his window in his absence: he took the hint and retired to Berwick. Angus had been banished to Inverness: his castles were occupied, the people of Dalkeith were disarmed; there was left no force on Morton's side to co-operate with Hunsdon's men on the Border. Elizabeth disbanded them, and Morton's doom was sealed.

Lennox and James Stewart had managed their concerns with resolution and skill.[61] Captain James Stewart was rewarded with the tutorship of the mad Earl of Arran, and presently with his earldom. Morton was brought from Dumbarton at the end of May, and put to trial on June 1. It was deemed quickest to accuse him of Darnley's murder alone, out of nineteen charges. We have no full record of the trial, but a letter of Sir John Foster's to Walsingham shows that Morton's meeting with Bothwell and Lethington at Whittingham about January 19, 1567, was known to the judges.[62] On that occasion he was made privy to Darnley's

murder, but (he said in his confession) refused to sign the band without a written warrant from Mary, which he never obtained. We may reasonably conjecture that this evidence was extracted from Douglas of Whittingham, at whose house the plot was discussed. Whatever other testimony may have been produced (one part was the queen's accusation of Morton at Carberry), Morton was found guilty of "art and part of concealing of the king's father's murder." "Art and part! God knows the contrary!" Morton is said to have exclaimed. But in his confession to two preachers, Durie and Balcanquhal, he admitted enough to satisfy them of the justice of his sentence. He told the story of the Whittingham conference. "If I had gotten the queen's handwrite, *and so had known her mind*, I was purposed to have turned my back on Scotland." Yet he calmly assumed that he did know Mary's mind, and that it was murderous, though he had just said that he did not. He admitted that, knowing Archibald Douglas, by his own confession, to have taken active part in the crime, he continued to employ him, raising him to the bench. The preachers candidly remarked that he "confessed the foreknowledge and concealing of the king's murder," and so "could not justly complain of his sentence." To whom could he reveal it? he replied; "To the queen: she was the doer of it." Yet he confessedly did not "know her mind." Morton added, regretfully, that "he expressed not the fruits of his profession in his life and conversation." To his "profession" he returned, in a manner edifying, and perhaps sincere. One Binning, a servant of Archibald Douglas, who confessed that Archibald lost one of his velvet "mules," or slippers, in hurrying from Kirk-o'-Field, was also put to death. Morton died bravely: his head was spiked on a gable of the Tolbooth.

So ended the last of Darnley's murderers who died by the law, and of the men who, being guilty of the crime, accused their queen. Morton had one virtue — personal courage; and one political merit, a strong hand. His errors were conspicuous.[63] His title of Earl of Morton was held for a few years by the turbulent Lord Maxwell.

NOTES TO CHAPTER X.

[1] Bannatyne, p. 427.
[2] Diurnal, p. 320.
[3] Wright's Elizabeth, i. 430.
[4] For. Cal. Eliz., x. 229.
[5] For. Cal. Eliz., x. 259. See the full terms of the pacification in the Privy Council Register, ii. 193-200. For. Cal. Eliz., 1572-74, 259-262.
[6] Spottiswoode, i. 260.
[7] Privy Council Register, ii. 216, 219.
[8] Journal of the Siege, Bannatyne Miscellany, ii. 72-80.
[9] For. Cal. Eliz., x. 355.
[10] For. Cal. Eliz., 399-401.
[11] Labanoff, iv. 91; For. Cal. Eliz., x. 470, 540, 550; Robertson, Inventories, cxxxvi, cxxxvii; Privy Council Register, ii. 330, 331, 435.
[12] For. Cal. Eliz., x. 212.
[13] In Stevenson's Nau, pp. 133, 134.
[14] Book of the Universal Kirk, i. 335, 338, 342, 361, 362.
[15] M'Crie, Life of Andrew Melville (1819), i. 126, 131. Also 'The Poetical Remains of Mr John Davidson': Edinburgh, 1829. Fifty printed.
[16] Book of the Universal Kirk, i. 336. 1575.
[17] Diurnal, p. 341.
[18] Hosack, ii. 200, note 6, citing "Registry of Presentations."
[19] Spottiswoode, History of the Church of Scotland, ii. 200 (1851).
[20] Tytler, viii. 17; Walsingham to Cecil and Elizabeth, April 11, 12.
[21] For. Cal. Eliz., 1575. No. 214-216-218.
[22] For. Cal. Eliz., 1575, pp. 93, 94.
[23] For. Cal. Eliz., 1575, pp. 97, 98.
[24] Murdin, pp. 282-286.
[25] Spottiswoode, ii. 203-205.
[26] Spanish Calendar, ii. 486. November 7, 1574.
[27] Papers in the Scots College at Paris. Hosack, Mary Stuart, ii. Appendix B.
[28] Spottiswoode, ii. 205.
[29] Labanoff, v. 31, 32.
[30] Moysie's Memoirs, Bannatyne Club, 1830, pp. 1-6.
[31] Moysie, pp. 7, 8, gives these dates: Morton goes to Stirling on May 28, and is more powerful than Argyll, Atholl, and the rest, though they are admitted to council in the castle. Cf. Spottiswoode, ii. 220-230; Bowes' Correspondence (Surtees Society), 1842, pp. 6-8; Calderwood's History of the Kirk of Scotland (1843), iii. 408, 426.
[32] Labanoff, v. 51-67.
[33] Hosack, ii. 546-550. Scots College Papers.
[34] Randolph to Hunsdon, March 20, 1681; Tytler, viii. 429.
[35] Bowes, p. 100.
[36] May 31, Mary to Henri III.; Labanoff, v. 80.
[37] Moysie, p. 25.
[38] Moysie, p. 26.
[39] Thorpe, Calendar, Scotland, i. 402.
[40] Bowes, p. 78.
[41] Thorpe, i. 401.
[42] Bowes, pp. 50-59.
[43] Calderwood, iii. 463.
[44] Calderwood, iii. 468, 477.
[45] Bowes, pp. 65, 66.
[46] Bowes, p. 69.

[47] Bowes, p. 84.
[48] Bowes, pp. 92, 93.
[49] Bowes, p. 106.
[50] Bowes, pp. 109, 111.
[51] Bowes, pp. 111, 112.
[52] Bowes, pp. 155, 156.
[53] Thorpe, i. 415.

[54] Balfour to Mary, January 31, 1581; Laing, ii. 314, 318; Froude, xi. 19, 382, note 1.

[55] So Moysie, Calderwood, and others. Bowes, January 1, 1581, says that the arrest took place in Morton's own chamber. Probably Moysie and the others mean to place the *accusation* in the Council-room, the *arrest*, following, in Morton's own room. But see Bowes, pp. 157-161.

[56] Calderwood, iii. 481.
[57] Spottiswoode, ii. 271.
[58] Bowes, pp. 158, 160.
[59] Calderwood, iii. 482, 483.
[60] Calderwood, iii. 506-510.

[61] The letters and other sources are in Bowes, Calderwood, and the Appendix to Tytler, viii. 416-431.

[62] Tytler, viii. 429, 430.

[63] Cf. The Mystery of Mary Stuart, pp. 382, 385, and Calderwood, iii. 557-570.

CHAPTER XI.

KING AND KIRK.

1581–1584.

THE death of Morton was followed by that long struggle between the Crown and the Kirk which filled the reign of James VI. The Protestant party had never looked on their hold of the country as secure. In the historical perspective we see that their constant trepidations were really baseless, but it was impossible for men engaged in the strife to estimate correctly the chances of the old and the new faiths. The preachers justly resented the avarice of the lay holders of Church property, without perceiving that the lay abbots and parsons would never consent to imperil their wealth by a restoration of the ancient creed, and a redistribution of the Church lands. The very thoroughness of the robbery was the protection of the Kirk. England, that bulwark of Protestantism, had, in fact, little to fear from the disunited Catholic Powers. While Spain and France neutralised each other, and while England was anti-Catholic, the Kirk was safe. Neither distracted France nor Spain could seriously take hold of Scotland.

Perhaps that which favoured most the slender chances of a Catholic restoration north of Tweed was the extreme zeal of preachers who, not satisfied to live apart from Rome, were intent on building up a theocracy like that of Geneva. The king, though so young, was a precocious theologian, and could only be driven to tamper with Rome by the excessive severities of the Scottish Calvinists. It was not the interest of James to change his creed; he desired nothing less than subordination to his Catholic mother, or Catholic kinsmen of the House of Guise. By intellect, by education, and by conviction he was Protestant. Yet the

suspicion with which he was regarded by his own clergy, the sternness of their discipline, the outrages which he had to endure from them and the nobles of their party, forced him to think of seeking assistance from Catholic Powers, and perhaps would have made him change his creed, if anything could have produced that effect. Thus the real danger of Protestantism in Scotland, if danger there was, arose from the magnitude of the pretensions of the preachers. They occasionally drove the king into dealings with the Guises, with France, and with Rome,—traffickings which were contrary to his natural bent, and to those interests of his in England which he already understood very well. He filled the Presbyterians with fears; but Catholics of sagacity soon ceased to entertain hopes based on the letters and demeanour of this crafty and calculating young prince. As our latest historian remarks, "The absolutism of James was forced upon him in large degree by the excessive claims of the Presbyterian clergy," while "the special circumstances in which Andrew Melville found the country" offer "the explanation of those extreme claims which he and his fellow-ministers put forward in regard to the mutual relations of Church and State." By open policy and secret intrigue James appeared to be steadily working for the overthrow of the existing religious establishment. Thus the extreme claims of the ministers forced absolutism on the king, and the absolutism of the king explains "the extreme claims" of the ministers.[1] In brief, two mutually exclusive, intolerant, and intolerable theories of Church and State were in open collision.

But Morton, we must remember, though never suspected of Catholic tendencies, had, when Regent, been at least as high-handed towards the Kirk as the young king himself. Morton had resisted the right of the preachers to "convocate the lieges."[2] When requested to come to the General Assembly and "further the cause of God," he not only refused, but threatened some of the most zealous with hanging, alleging that otherwise "there could be no peace nor order in the country," a theory later acted on by Charles II.[3] The editor of Calderwood tells a story of Morton's short way with preachers. A certain Captain Cullen had been with Mary of Guise during her mortal illness at Edinburgh Castle, whence he corresponded with her brother, the Cardinal of Lorraine. After the siege of Leith he entered the Danish service, and after Riccio's murder was a captain in Mary's guard of harquebus-men. He was said to have advised the strangling of Darnley at Kirk-o'-

Field, as he had observed that the effects of explosions were capricious. He was captured by the lords, but it was not deemed wise to publish his revelations: he was allowed to escape, forfeiting his recognisances.[4] He later took service under Kirkcaldy when that knight held the castle for Mary. The captain, after a skirmish, was found hiding ingloriously in a meat-safe. He had a very pretty wife, so Morton hanged him and lived with his widow. For this Morton was rebuked by Andrew Douglas, minister of Dunglas. His reply, it is said by Calderwood's editor, was first to torture Douglas in the boot, and then hang him,—a story not easily credible.

Nevertheless, from 1576 onwards the ministers laboured, first to oppose the bishops, and next to "collect out of the Book of God a form of discipline and policy ecclesiastical; to propose it to the prince; and to crave it to be confirmed as a law proceeding from God" (1578).[5] This was the 'Book of the Polecie of the Kirk,' and confirmed it never was. In 1580 "the office of bishops was damned." Episcopacy, the Brethren declared, was "brought in by the folly of men's invention"; all bishops were discharged from all functions, and could not sit as simple ministers till admitted *de novo* by the General Assembly, under penalty of excommunication, which meant universal boycotting. We find Andrew Melville explaining to Beza in 1578 that the nobles maintain "that the sentence of excommunication shall not be held valid until it has been approved by the king's Council after taking cognisance of the cause." He adds that "civil penalties, according to the laws and customs of our country, accompany the sentence of excommunication."[6] This puts the case of the Kirk in a nutshell. They claimed the right to inflict the severest civil penalties independent of the civil power. The Brethren, the professors, were to be able, through their pulpiteers, to deprive the king's servants of their civil rights and to drive them from society.

It happened in 1581 that James's Ministers or rulers, Arran and Lennox, were either profligate or disloyal to the established religion of their country. But the claim of the Kirk to inflict civil destruction, contrary to the will of the State, was a thing utterly intolerable; and, as Morton said, there never was peace or order in Scotland "until some of the most zealous were hanged," and the rest after 1688 were content to abate their unendurable pretensions. Meanwhile several, at least, of the

bishops of 1572-82 were certainly knaves, corrupt and simoniacal, and justly opposed by the Brethren. It is a quarrel in which neither side can wholly merit our sympathy; the Court favourites and their bishops were as odious as the exaggerated desires of the Kirk to rule the State. A phrase of the Second Book of Discipline runs thus: "The ministers exercise not the civil jurisdiction, but teach the magistrate how it should be exercised according to the Word." The magistrate is to "submit himself to the discipline of the Kirk, if he transgress in matters of conscience and religion."[7] Now the preachers could persuade themselves that any part of State policy — say, a French or Spanish Alliance or marriage, or the supporting of Episcopacy — was "matter of conscience." Consequently they could and did interfere, scolding and libelling from the pulpit, excommunicating at their own wills, and yet pretending to restrict themselves to spiritual affairs.

Thus the dragon's teeth were sown which sprang up as armed men in the civil wars. On the other hand, thus the intrigues of Lennox for handing over James to a foreign land and a foreign faith were checked; while James, like Mary, was goaded by sermons into a hatred of the Kirk which produced its own baneful effects. It was a deadlock. Yet it is highly improbable that James, left to himself, would ever have returned to his mother's creed; for by training, by interest, and by vanity about his own gifts as a theologian he was Protestant.

To the political intrigues which followed Morton's death, and to their ecclesiastical embroilments, we now return. Just before Morton's head fell, Mary wrote to Archbishop Beaton about her hopes. James had sent her letters and a "token." She trusted that he would come into her devotion, and be a king indeed, for the Continent had never acknowledged him as king. Weary and outworn by thirteen years of prison, she only wanted to be at peace. Yet she was trying to establish relations between James and Spain, contrary, it seems, to the wishes of her ambassador at the Court of France.[8]

Presently (September 18, 1581) Mary resolved on the scheme of the "Association" (a shared royalty) between her and James. She had never acknowledged him as king. If she did so now, by the "Association," the effect would be, so the preachers and the Brethren thought when the plan reached their ears, to annul

the acts of James's reign up to that moment. "The approbation of religion,[9] and all other things done since his coronation, should be accounted null; such as had been the king's friends should be counted traitors, and his adversaries good servants," says Calderwood, speaking of the events of January and February in the following year.[10]

Meanwhile in Scotland, since Morton's death, Arran (James Stewart) and Lennox had not been on the best terms. Arran was playing for the support of the Kirk. He had, indeed, seduced the wife of Lord March—that is, of James's great-uncle, his grandfather Lennox's brother, who had been transferred to the Earldom of March, in the new Lennox's interest. The lady got a scandalous divorce and was married to Arran. But then the pair submitted to the censures of the Kirk, and, like Burns in later days, occupied the place of penitence. Lennox, of course, was intriguing against the Kirk: however, he and Arran were reconciled. James took pleasure in the society of the new Lady Arran, which cannot have been improving to his morals. At a Parliament in October, Angus, Archibald Douglas, and many others of the name were forfeited. The king, however, would not gratify Lennox by receiving Sir James Balfour, one of his father's murderers. Later, James was less scrupulous. Elizabeth sent Errington to Scotland, as usual to counterplot Lennox; but Errington was not allowed to cross the Border. Elizabeth, when she learned this, was heard murmuring her rage against "that false scoundrel of Scotland," who had called Morton "father" when he meant to have Morton's head. She fell back on an attempt to set Mary against her son, and to restore the exiled Hamiltons. Her interest in them was caused by their value as a counterpoise to Lennox and the Stewarts. But Mary was not to be entrapped. The wiles of a prisoner are *de bonne guerre*, and historians waste indignation on the duplicity of Elizabeth's victim.

Mary's plan was to deny to Elizabeth that she had any special relations with Spain, or expected any aid thence, while she was really treating for assistance with Mendoza, the Spanish Ambassador in England.[11] The queen, as usual, had "too many irons in the fire." She was regarding Mendoza and Spain as her chief hopes, but her affairs and those of Scotland became hopelessly embroiled through the enthusiastic efforts of Jesuit traffickers to sweep Guise, France, the English Catholics, and the Pope into an

impossible alliance with Spain. On the English Catholics Mendoza himself was working (September 1581). To them he pointed out that France would always prevent Spain from succouring them, out of jealousy, while Scotland was the true *point d'appui*. Six Catholic English lords, therefore, met secretly, and sent a priest on a mission to Scotland—or perhaps two were sent.[12] The envoy of the lords was to see Lennox, and tell him that if James turned Catholic many of the English nobles and people would declare him heir to the English crown, and would release Mary. If James declined conversion, they would oppose him and favour another candidate. These English lords "are all Spanish and Catholic at heart," and desire nothing from France. If James came into their views, they would send their sons as hostages to him, and raise the North in arms, restore the Church, and release Mary. Mendoza actually "thought the business well founded." Presently two of the six lords were in prison.

Though the subject is rather obscure, it seems that an emissary of the six English lords was taking their striking proposals into Scotland, while Father Parsons, or Persons, the famous Jesuit, was simultaneously, but independently, plotting there, first through Father Watts, and then through Father Holt. Parsons had apparently despatched Watts and fled to France before the six lords sent their man. The Catholics at this moment were being furiously persecuted in England; it was the time of the martyrdom of Campian; they could not keep in touch with each other's plans, they blundered into each other's plots, and no business could be less "well founded" than that in which Mendoza placed his hopes. Watts met Seton, and had a secret interview with the young king, to what result he does not say. He had hopes of Lennox, Huntly, Eglinton, Caithness, Seton, Ogilvy, and Ferniehirst. But all of those were conspicuously broken reeds: they would not even pay the expenses of Catholic missionaries, if Parsons sent them![13] The person sent by the English lords met the same noblemen in Scotland, who, unanimously and with enthusiasm, declined to be at any expense for the salvation of their souls. If somebody else would pay the Catholic missionaries, they would get them a secret hearing from the king. This envoy had little to do with Lennox, whom he found French, not Spanish, and "avowedly schismatic." So Mendoza wrote on October 20, and it is really difficult to determine whether he is not speaking

of Watts after all. In any case, Father Parsons, and Allen, later cardinal, in France, heard of the results, which, we see, came to no more than this, that if the Jesuits would send missionaries to Scotland at their own expense, Seton and Ferniehirst and the rest would see what they could do. That was a very different thing from converting James by way of a *coup de main* and the offer of the English succession.[14]

Meanwhile Mary was keeping her faithful Beaton, her ambassador in France, in the dark, and was trafficking through Allen. Parsons now sent Father Holt into Scotland with the priest who had been the envoy of the English lords (two of whom were already in prison). On February 9, 1582, Mendoza reported to Philip a message brought by Holt from Scotland. He had met Lennox, Huntly, Argyll, and others, who suggested the following hopeful plan: (1) To convert James by disputations between Presbyterians and Catholics. (2) If he will not be converted by fair means, to get Mary's leave to convert him by force. (3) To carry him out of the country, if Mary approves. (4) Or to depose him till Mary arrives. For those purposes they need the aid of 2000 men in Spanish service. The puerile absurdity of these proposals is conspicuous. Even Mendoza knew that not only the preachers, but Arran, "a terrible heretic," were opposed to the Church; the idea, therefore, was to murder Arran.[15] Later it was the English who desired to murder him.

Mendoza sent Holt back to Scotland, approving of the proposals, and now (February-March, 1582) Holt was joined in Scotland by the Scottish Jesuit, Father Creighton. He had conferred with Guise on the way, thus beginning to bring in the French influence, and to tangle the threads which Mendoza wished to keep in his own hands. He was hidden in Holyrood for several days, and Lennox wrote to Mary. He had learned from Creighton that he himself was to head a papal and Spanish army for her relief, an army of 15,000 men. He therefore proposed to go over to France to make arrangements. The plot was already burlesque. Who was to give 15,000 men to be led by Lennox? Already, too, Walsingham and Leicester had an English counterplot with Angus to seize James, and they expected to purchase Arran (March 19, 1582).[16] Meanwhile Mary and Mendoza knew that Lennox's 15,000 men were men in buckram. "It is the first," writes Mary to Mendoza, "that I have heard of such

a thing." She desired the whole affair to be concealed from de Tassis, the Spanish Ambassador in France, and she laughed at the absurd desire of the intriguing Jesuits, that Mendoza should leave London to meet them at Rouen (April 6, 1582).[17] Mary, in short, declined to be mixed up with the Jesuits. Mendoza told Philip that Father Creighton "has changed my mode of procedure" by inventing airy armies, and giving the baton of command to Lennox.[18]

Both Mary and Mendoza opposed Lennox's desire to leave for France. France was the very country they wished to keep in the dark, as any large Spanish force leaving for Scotland would bring the French, from jealousy, to the aid of England. Mendoza entreated Creighton and Holt to confine themselves to the saving of souls,—it was a pity that the clergy should interfere in military matters. They continued to interfere. At the end of April Mendoza was asking Beaton in Paris what grounds Creighton could have for his high-flown promises of an army to Lennox, while Elizabeth (he says, probably exaggerating) was sending money and jewels to Scotland to bribe the party out of power to seize the king.[19] Mary was still most anxious (May 15) that the affair should be kept secret from de Tassis, the Spanish Ambassador at Paris. But the Jesuits, in the Scots familiar phrase, "let the pigs run through the job." Creighton and Holt, disobeying Mendoza, had gone to Paris, had met Beaton and Guise, Parsons and Allen. They reported dreams of Lennox: with Spanish forces he would convert Scotland and James, and rouse the North, and restore England to Rome. Guise offered to invade Sussex as soon as the Spaniards landed in Scotland; Parsons was to carry letters from Lennox to Philip; Creighton to the Pope. Lennox's demands were now immense, 20,000 men for Scotland, large sums of money, a guarantee for the value of his own estates. Yet Creighton reported that James was still a heretic, though in constant danger of his life from the plots of Elizabeth.[20] Mendoza "expressed a wish, as a Christian," that the Catholic schemers "might succeed." They met Guise at the house of de Tassis, whom Mary wished to keep out of the affair, which Guise wished to be subsidised by the Pope alone, so de Tassis wrote to Philip (May 29). Philip saw that too many people knew, and asked de Tassis to detain Parsons (June 11). In fact he stamped out the plot.

While the Jesuits were taking all into their own hands with boyish eagerness, the preachers in Scotland knew that mischief

was on hand. By January 1582 the preachers had found out the scheme of the Association. On January 24, 1582, Durie informed his Edinburgh congregation that James was to traffic with France, the Duc de Guise, and his mother: Durie had wormed it out of George Douglas, Mary's agent.[21] At that time sermons were naturally popular. They contained the latest news, foreign and domestic, with a violent harangue. A National Covenant or band against the Roman pravity had already been sworn to and subscribed (March 1581), specially directed against Catholics who falsely, and for political reasons, pretended to be adherents of the truth. James himself was a covenanter; so was Lennox, but that did no longer protect him: Durie was on him; and henceforth attacked him from the pulpit. Lennox had got the gift of the archbishopric of Glasgow, and had appointed a minister named Montgomery as tulchan archbishop. Montgomery was paid to be a filter through which the money would reach Lennox. Simony could not be carried further. The preachers persecuted Montgomery, and terrified him into submission by threats of excommunication, but he took heart again, and tried to occupy his pulpit in the cathedral.

It is not easy for us to know what kind of men the mass of the ministers were at this period. In 1577 Morton had sent a long list of questions to the General Assembly. Some of them were conceived in a spirit of mockery, such as, "Whether a man may be both a minister and a reader, or an officer of arms, or a lord's or laird's steward, grieve, pantry-man, or porter?" Ministers might keep public-houses, and it is probable enough that some of them, in the deficiency of endowments, resided with lairds as chaplains, assisting also in keeping the accounts of the estate. Many of the ministers, certainly, were men of learning, such as Melville, Smeaton, Pont (who was skilled in the law), Davidson (who wrote the humorous poem against Morton); and one of their charges against Lennox's archbishop, Montgomery, was that he spoke disrespectfully of the learned languages. "He went about, so far as he could, to bring the original languages, Greek and Hebrew, in contempt." He also begged the preachers "to leave off to put on crowns and off crowns," and he daringly denied that the majority of mankind go to hell.[22] This, at least, is asserted by his enemies.

In April the Glasgow ministers were summoned to meet James at Stirling, and to accept Montgomery. Accompanied by many of

the Brethren, they refused to acknowledge the Royal power in the matter, and Durie threatened to excommunicate the archbishop elect.[23] Not long after, in May, a present of horses arrived for James from the Duc de Guise. The man who brought them had been employed to carry the head of Coligny as a token of the success of the Bartholomew massacre, and nothing could have been better calculated than his arrival to arouse the anger of the Protestants. Durie went to Kinneill, where James was staying with Lennox, and rebuked the king. On May 23 he preached against Lennox and Arran. This was on a Wednesday, for Wednesdays and Fridays were days of preaching. Next week he was summoned to Dalkeith, and insulted by Lennox's kitchen valetry. James ordered him to leave Edinburgh. He was backed by his presbytery, but was compelled to go. On June 9 the presbytery decided to excommunicate Montgomery, and the poet Davidson "did the curse" in the kirk of Liberton. He proposed to renew at Perth the armed rising which began the Reformation.[24] Lennox was censured for entertaining the excommunicated Montgomery; and a list of complaints was sent to James, including his relations with the bloody persecutor Guise. On July 6, at Perth, Arran asked Andrew Melville who dared subscribe these articles? "We dare, and will subscribe them, and render our lives in the cause," said Andrew, and all signed. Lennox and Arran perceived that the preachers had some lay support.

On June 27 Andrew Melville (now Principal of St Mary's College in St Andrews) denounced the "bloody gully" of absolute power before the General Assembly. Of all people, Sir James Balfour was present as an elder! The "secret assistance" which the Kirk expected took the usual shape of a band "against Dobany" (D'Aubigny, Lennox) among the discontented lords, such as the Earl of Gowrie (Ruthven, who had aided his father in Riccio's murder), Angus, Mar, Glencairn, Argyll, Lindsay, Rothes, and others. Elizabeth supplied Angus with money, and Lennox dreaded assassination.[25] Mendoza represents him as personally timid in an acute degree. Montgomery, as an excommunicated man, was driven out of Edinburgh by the mob in circumstances so ludicrous that James, hearing of the matter, lay down on the soil of the Inch of Perth, where he rolled about in helpless laughter.[26] Though the king's sense of humour was strong, he seems to have been aware that a plot against him had been arranged, and de-

feated, in July. Bowes (August 15) had warned Glencairn, Mar, Boyd, Lindsay, and others that Lennox meant to arrest them for this conspiracy.[27] There was strife between the artisans and burgesses of Edinburgh, the craftsmen insisting on being represented in the town council. In this dispute Lennox and Arran took opposite sides. Lennox meant to have occupied Edinburgh with Borderers on August 27; but the discontented lords, Gowrie and his faction, though the scheme of their band was incomplete, anticipated Lennox's movement against them, and seized the person of James, who was unaccompanied by Arran and Lennox, in the *coup d'état* known as the Raid of Ruthven.

It was on August 22 that Gowrie (Ruthven), Mar, the Master of Glamis, Lindsay, and others took and held James at Ruthven Castle, near Perth, a seat of Gowrie, where he had been hunting. Neither Arran nor Lennox was with him,—he was fairly trapped. The plot had been managed by Angus, with the collusion of England, which desired the deaths both of Lennox and Arran. Spottiswoode narrates that, as James tried to leave the room where the conspirators were, the Master of Glamis stepped to the door and stopped him. The king burst into tears. "Better bairns weep than bearded men," quoth the Master.[28] Calderwood makes Stirling the scene, the time August 31, and makes the Master of Glamis insult James by thrusting his leg before him. Mendoza gives another account of this insult, making Gowrie interfere, and dating the event on October 13. Mendoza, as translated by Major Martin Hume, says nothing about Gowrie's insulting leg. As rendered by Mr Froude he does, and asks someone to bring the king "a rocking-horse"—"a poney" in Major Hume's rendering.[29] Mr Froude adds that James "swore he would make Gowrie pay for the insult with his life"; Major Hume, "that he would reward him for it some day."

In spite of these confusions of evidence, James was probably insulted, and certainly regarded himself as a captive and dishonoured. This "bairn" bided his time, and made "bearded men weep" when it came. Meanwhile he was powerless. Arran at once rode to him with one or two grooms: his brother was waylaid and wounded: Arran himself was made prisoner. Next day the captors laid their grievances before James. He governed, it was said, not through his Council, but through Lennox, who was known to intrigue with Bishop Lesley and Archbishop Beaton. The "ministers of the

blessed Evangel, and the true professors," had taken the liberty to emancipate James from such advisers.[30] James was brought to Perth, and, like his mother when seized by Bothwell, had to proclaim that he was no captive. Lennox, with Herries, Maxwell, Home, Seton, and Ferniehirst, repaired to Edinburgh, but took no energetic measures.[31] The new Bothwell, Francis Stewart, recently brought back by the king from Italy, son of a sister of Bothwell's by a bastard of James V., was with the Gowrie party, so was holy Ker of Faldonside. Elizabeth (August 30) sent Sir George Carey to James, complaining of Lennox.[32] Bowes was also sent, and the veteran Randolph was most anxious to go. He had sown the seeds, as Archibald Douglas told him, when trying to do a bargain with him in horse-flesh, for now Archibald hoped to ride home.[33] Archibald says that Arran was offering to accuse Lennox of treason, and it is very probable.[34] However, Archibald was to sell himself frequently before he crossed the Border.

From Edinburgh Lennox sent envoys to James, who assured them that he was a captive. The young king was sorely tried. The Lennox plot had been to convert him by force, and carry him abroad, if necessary. The Ruthven raiders held him a prisoner, and his life was in danger. James was like his grandfather when Sir George Douglas told him that they would tear him in two if the adverse party took hold of him. The foreigners and Lennox pulled one way, England and the Ruthven raiders tugged in the opposite direction. But James was fond of Lennox; his Ruthven captors he detested, except Mar. Historians maintain that James was ready to barter his creed for political advantages.[35] This was not his mother's opinion. "As his mother remarks," wrote Mendoza, "preaching will be of no avail to convert the king; he and the country must be dealt with by main force"[36] (August 30). The day after Mendoza wrote thus, he learned that Elizabeth had heard of the success of her plot with Angus — the Raid of Ruthven. Mendoza also heard, and this is notable, that the English trafficker with Angus was the Earl of Huntingdon, and that his party were muttering that it would be well to poison both James and Mary, "whereby Leicester and his party of heretics think they can assure the claim of Huntingdon." This was probably true; for, later, Gowrie confessed that he had known an English plot to cut off both James and Mary, and had refused to carry it out.[37] Gowrie told the same story to the

Master of Gray. Thus assassination plots were not confined to the Catholic party, nor to the Scots.

The Ruthven raiders held power for but ten months. The letters of Bowes, the English Ambassador, then in Scotland, prove that the party was never solid: they all suspected each other; even Gowrie was under suspicion, Glencairn was doubtful, and Bowes could only trust Mar and the Master of Glamis, as a rule. The aim of the party was to get Lennox, who had taken refuge in Dumbarton, out of Scotland. Bowes was usually convinced that James was with him and the raiders in this desire; later he misdoubted that "the young cock" had beguiled him. After many delays and intrigues, Lennox obtained leave to go to France through England. But he had first appeared at Blackness, awaiting the result of a rather ingenious plan for seizing James. The conspirators were to conceal themselves in the dark gallery over the Royal Chapel, and thence, when the nobles had left the king after supper, were to enter the palace by a little entry, of which James's porter, Boig, had given them the keys. They would "persuade the king to be contented, and send for Lennox," and would then kill Mar, John Colville, a busy man on the raiders' side, and others: all this on the night of Lennox's hasty arrival at Blackness (November 28).[38] Lennox, when he arrived in England, acquainted Mendoza with this plot and its divulgence by "the king's houndsman."[39]

To what extent was James himself a consenting party to this new seizure of his person, and how far, on the whole, did he go with Lennox in his designs for a restoration of the Church? The answer depends on another question, How far was James aware of Lennox's designs for an alteration of religion? Lennox, we must remember, had signed the National Covenant, and it may be doubted whether he had ever revealed to James his intention of converting him by force, or carrying him abroad to be converted. James was personally fond of Lennox, and he regarded himself as a captive, and an insulted captive, of the raiders. His position was this: he had promised Elizabeth that Lennox should go to France, and he tried to send him thither. So far he was not deceiving Bowes. But, already a casuist, he reckoned that he had never promised that Lennox should not return. While Lennox was in Scotland the life of James was not safe from the raiders. They knew the peril of their own position, and Bowes knew it. They held a wolf by the ears. Elizabeth would not pay them—would not pay the guard they

had set over the king: probably she would desert them. One day James would escape and revenge himself. If they listened to their English allies they would kill James; but to kill James meant a Hamilton as king, or a civil war. They were thus anxious merely to get Lennox out of the country, and the king knew that this measure was for his own safety. Whether he would willingly have gone with Lennox, had the attempt from Blackness succeeded, we cannot tell. But, knowing now of the attempt, James had arranged to recall Lennox from France, and a plan had been sketched for trapping the Ruthven lords in Edinburgh Castle and freeing the king—so Lennox informed Mendoza.[40] Meanwhile, publicly, James had been forced to acquiesce in the situation. He did *not* dismiss Boig, the porter.

While Lennox tarried at Dumbarton the lords had put forth an enormously long indictment of him, which, from the style, seems to have been composed by the preachers, or by John Colville, who had been a preacher, and was their man of tongue and pen. Lennox replied, and asked to be heard before Parliament; but it was not the way to permit accused persons to defend themselves, as we know from the case of Queen Mary. Craig scolded James in public.[41] Angus was admitted to the king's peace. On October 19, 1582, a Parliament, or Convention, met at Holyrood. Its proceedings, in the recorded Acts of Parliament, are deleted,—crossed out,—and, so marked, look oddly in the printed Acts (vol. iii. pp. 326-328). The deleted proceedings announce that holy religion and his majesty's royal person were in peril, wherefore Gowrie and the rest were compelled to commit the Raid of Ruthven, which is decreed to be "good, sincere, thankful, and necessary service." Arran is to be warded by Gowrie at Ruthven. James, on the first opportunity, scored out this paper security for the Ruthven lords.

A General Assembly, meeting in October, had ratified the Ruthven conspiracy with their spiritual approval, which was, apparently, infallible. This action James never forgave, though he had been consulted by the preachers, and had given them his sanction. Bowes meanwhile was making efforts to extract the casket and casket letters for Elizabeth from Gowrie, but failed. After Gowrie's death the letters entirely vanished. A casket at Hamilton Palace is not the original coffer.[42] Mary had been declaring the letters forgeries, and menacing their holders. Bowes said that Elizabeth needed them "for the *secrecy* and benefit of the

cause," a phrase which will be diversely interpreted by Mary's friends and enemies.

The end of the complicated intrigues of this year was that Lennox at last went to London, on his way to Paris; that Angus was seemingly received into favour by James; that James felt, or pretended, great devotion to Elizabeth. But from Bowes's long and tedious letters it is plain that the Ruthven conspirators were uneasy and at odds among themselves; that Arran was likely to be liberated; and that Elizabeth would not take the only way to attach to herself the Ruthven lords—would not buy them.

History, it is said, does not repeat itself. At this time in Scotland history was a series of repetitions. There was a formula, the old play was played, with occasional changes in the actors. The English and Protestant lords, backed by the Kirk, seized the king, relying on the aid of Elizabeth. She was too thrifty to pay them adequately; their party dwindled; the French or Spanish, or anti-Kirk party, got the king; Catholic plots were woven; they were discovered; the webs were rent; and the English party of the lords had another chance. The quarrel about Episcopacy broke forth, was quieted, and broke forth again. Elizabeth played the game of cat and mouse with Mary, and set Mary against James, James against his mother, till the axe fell at Fotheringay. The result was that James, a nervous creature, perpetually in danger of his life, captured, preached at, bullied, became one of the falsest and most selfish of dissemblers, longing for freedom and revenge, and, in appearance at least, wavering in religion.

When Lennox left Scotland with shattered health, two French ambassadors arrived: first La Mothe Fénelon, accompanied by Davison as a spy; later came Mainville. Lennox and La Mothe met on the road and had a brief conversation, to which Davison listened, as far as the wind and rain permitted. James was, or pretended to be, anxious to get rid of La Mothe.

La Mothe delivered an address on the Old Alliance, the desirableness of constitutional action, his king's anxiety for James's freedom, his hope that James would let bygones be bygones, and so forth.[43] The ministers correctly suspected deeper designs, and sent a deputation about the dangers to religion. Mainville wore the cross of an order—this was a badge of antichrist. He desired a private mass, a thing not to be endured. He washed the feet of thirteen poor men on Maundy Thursday—nothing could be more

detestable. When the magistrates, by James's order, gave La Mothe a dinner, the preachers proclaimed a fast, and three sermons were preached in five hours. La Mothe retired; he had brought gold with him, and may have bought a few lords. Mainville stayed longer, waiting to see how affairs would turn.

In London Lennox had seen Elizabeth, and announced himself a Protestant, while through his secretary he assured Mendoza that he was a Catholic, and would land again in Scotland with a Catholic army under Guise. In Paris, however, he would play the Huguenot to blind his enemies. Once arrived in Paris, he either betrayed Mary's and Guise's plans, and a scheme for carrying James to France, or he used these revelations as a blind for Walsingham, or he stood to win on either chance. In any case, he died in May of a flux to which he seems to have been subject: he and Morton had both been very ill after gorging themselves at a dinner of Lindsay's. In his last letter, recommending his children to James (who befriended them), Lennox professed himself a Protestant, which probably means that he thought James resolute in that faith. He had said as much to Mauvissière, the French Ambassador in London, and Mauvissière told one Fowler, a spy of Walsingham's, who was employed in seducing Archibald Douglas, a prisoner, from Mary's cause. Fowler also learned that Gowrie was weary of his charge of James. He needed guards, could not pay them, and Bowes could not wring the money from Elizabeth.[44] At this time the Scots captured the Jesuit Holt, and Elizabeth urged the use of the boot. To torture was her peculiar joy, but James managed to let Holt escape. English pirates, as cruel as their queen, caught and tortured the captain and crew of a Scottish ship, The Grace of God, so that "some lost their thumbs and fingers, and some their sight and hearing." Yet the English have always blustered about the cruelty of the Spaniards![45]

In April two envoys were sent from Scotland to Elizabeth: one, Colville, later ruined, and a spy, had taken a great part in the Raid of Ruthven; the other, Colonel Stewart, had acted as agent between Mary and the late Lady Lennox after their reconciliation, and at heart was Mary's man. Stewart was to consult Elizabeth as to James's marriage and affairs in general; was to pray that she would resign to him the Lennox lands in England; to ask for £10,000 in gold and £5000 a-year; to

assent to the ratification of the endless treaty between Mary and the English queen, and to inquire about James's right of succession to the English throne (April-May 1583).[46] Redress for the piracies was also mentioned. Most desired was money to pay James's guards: Bowes was asked by Walsingham to lend it; Walsingham would give security for repayment.[47] By the end of May Fowler could report his success in purchasing Archibald Douglas, who "was skilled in deciphering." Archibald is probably the person mentioned by Bowes from Edinburgh on April 7. If so, he was associated with Glencairn, an untrusty ally of Gowrie; and the plan was to bring Archibald back to Scotland as a supposed agent of Lennox (named in cipher "870"), which would enable him to be trusted by, and to betray, Mainville, Huntly, Glencairn, and Montrose. There were difficulties, as Archibald would perhaps be accused of Darnley's murder, though he declared that Morton's confession, implicating him, "was not worth five shillings." The scheme was deferred by Bowes's advice.[48] On May 29 Colville and Stewart left London in disgust, and the expense of James's guards fell on Walsingham. Bowes, in Edinburgh, foresaw trouble: James, if his requests were denied, would revolt to Huntly, Atholl, and other non-English nobles.[49]

Elizabeth in April had been in one act of her treaties with Mary: endless, and never meant to end. She communicated Mary's offers through Bowes to James. The prince remarked that, seeing Elizabeth and himself were coming to terms, his mother tried to throw this "bone to stick in their teeth." In any "association" he "doubted some prejudice might come to him"; the association was "tickle to his crown." In brief, James suspected that Mary wished to share or even monopolise his power, and so held off from the association.[50] Elizabeth probably reckoned that she held James through his own selfishness, and therefore declined to yield the Lennox estates or advance money for the guardsmen, without whom she might at any moment lose him. Her highest offer was a pension of £2500. Colville and Colonel Stewart came home in anger, and Elizabeth renewed her dealings with Mary. But these Elizabeth never would conclude, and, whatever Mary's crime as to Darnley, this eternal game of cat and mouse excites pity and indignation. Meanwhile James's dealings with Elizabeth, and his Protestantism, diverted Guise from his scheme of invading Scotland. To land

an army in England seemed more feasible. Nothing was feasible: all had to be managed by messengers, whom Elizabeth was certain to trap and torture. The aspect of politics was altered again when, after the failure of the mission to Elizabeth, James freed himself from Gowrie, who was heartily sick of his charge.

The escape was managed thus: Patrick Adamson, Archbishop of St Andrews, was of course much suspected and detested by the preachers and the Brethren. But Patrick had a house of sufficient strength, the Castle of St Andrews, which Archbishop Hamilton had rebuilt after its ruin by the French guns that avenged the Cardinal. Here since the General Assembly of April 1582 Patrick had "lain like a tod [fox] in a hole, diseased of a great feditie, as he called his disease." Patrick, not being a godly man, had protected, and later given up, a poor woman accused of witchcraft: she was said to have transferred his malady to a white pony, and the historian of the Kirk relates with glee that she was afterwards burned at Edinburgh.[51] It was to Patrick's "hole," the Castle of St Andrews, that James now fled. Sir James Melville was concerned in the escape. James appointed, he tells us, a convention at St Andrews, inviting Huntly (not the partner in Darnley's murder, who was long dead), Montrose, Argyll, Crawford, Rothes, March, and Gowrie, who is represented as having come round to James's cause. He was certainly thought a waverer by Angus and others of his party, was weary of politics, and was building and decorating "a fair gallery" at Gowrie House in Perth, a gallery destined to be fatal to his line. The king sent Colonel Stewart to call in Sir James Melville, who was tired of Courts, but visited James at Falkland (June 27). Sir James argued that the king was now practically free and had better let bygones be bygones. This he promised to do, but he must first be free indeed. He therefore rode to his great-uncle, the Earl of March, who was living in St Andrews, and met him, with other gentlemen, at Dairsie on the Eden. At St Andrews James lodged in the *Novum Hospitium*, where the old gateway stands. The place was very insecure, the mob was not to be trusted, and Melville induced the king to move into the Bishop's castle, which he did in the more haste as armed men were waiting to seize him in the abbey gardens. Next day James was again in peril, as the lords of the English party arrived in arms. However, the Provost mustered a force, aided by the loyal lairds and Gowrie.

On the morrow James was master of the castle, and a bitter day must that have been for Andrew Melville, the Principal of St Andrews. The king proclaimed an amnesty, went to Ruthven, dined with Gowrie, and was apparently reconciled to him. But Arran (the Colonel Stewart who dragged down Morton) returned presently to power and favour. This boded evil.[52] The preachers met James at Falkland; one or two behaved with tact, another threatened: "there was never one yet in this realm, in chief authority, that ever prospered after the ministers began to threaten them."[53] James smiled; he was to prove an exception to the rule.

His intentions, as publicly proclaimed, were to be "an universal king"—that is, to reconcile parties, and to be subject to no clique of nobles. When a captive, he had been compelled to express acquiescence in the Raid of Ruthven, but his proclamations now declared that the parties to the conspiracy must seek "remissions" for their deed. Such a paper remission Gowrie sought and obtained, thereby disgusting his late allies. The king spoke much of "clemency," which was doubly distrusted. Many intrigues were being woven which were only in part known even to the preachers. Young Seton (a son of Mary's staunch friend, Lord Seton, and to be recognised as a brother of Catherine Seton in Scott's 'Abbot') was at Paris in July, dealing not with Guise, but with de Tassis, the Spanish Ambassador, and hoping to secure religious tolerance.[54] Immediately after the affair at St Andrews, de Tassis heard, from an unnamed Scots lord, that Sir Robert Melville,[55] a strong Marian, had organised the business, and that James's Council, pending the arrival of Arran, were Argyll, Montrose, Rothes, Marischal (Keith, founder of Marischal College), and Gowrie, "by whose advice he is influenced." James wanted Mainville to return, and wanted money from Henri III.[56] But Henri III. had no money to give, and was on ill terms with Guise, who needed a foreign war, and was working on Philip to lend men and ships, and with the Pope to give money, for the release of Mary and for the restoration of Catholicism in England. It was known to the preachers that the young laird of Fintrie, a Catholic, later martyred, and a relation of Archbishop Beaton, was in Scotland, and probably Fintrie carried a curious letter from James himself to Guise, of which a copy was forwarded to Philip.

This letter, from Falkland, August 19, would have shown the

ministers that their distrust of James's relations with Guise, "the bloody persecutor of the saints," was more than justified. The king thanked God for preserving the life of Guise, who had aided Mary and James in their utmost need. If James possesses the splendid qualities attributed to him by Mainville (and he does not disclaim them), he owes it to his Guise blood. He hopes to follow in the footsteps of the House of Lorraine. He has achieved his freedom, "as it were in sport," so adroit is he, "and is ever ready to avenge himself when the opportunity occurs." That was precisely the opinion entertained by the enterprisers of the Raid of Ruthven. He approves of Guise's project. Acting on Mainville's advice, he has, for love of Guise, allowed the Jesuit, Holt, to escape, a circumstance which, in treating with Elizabeth and the preachers, he discreetly veiled. People were always escaping, he said; there was nothing "uncouth" in that. But James did not profess any inclination to join the Roman Church, without which Philip would do nothing for him. He had mentioned all this only to Morton (Maxwell) *and to Gowrie!* Now, if Gowrie was not Protestant, who was? He ran too many double courses.[57]

James now issued a proclamation expressing his mind as to the Raid of Ruthven, and calling Durie with other preachers to St Andrews he asked them what they thought of it. They answered ambiguously: he had better consult the General Assembly.[58] At the end of the month Mar and the Master of Glamis—he of the impertinently obtruded leg—were placed in ward. Early in September Walsingham, much against his will, was sent down by Elizabeth. He could do nothing with James, and advised Elizabeth to slip at him the Hamiltons, then exiles in England. He also left a plot against James, to explode when he had returned to England; but the plot was dropped.[59] Arran had discovered it, and reinforced the guards. Walsingham remonstrated about Holt's escape. James replied that he would have extradited Holt, an English subject, if Elizabeth had handed over Archibald Douglas, "who is known to be guilty of my father's murder." (James's filial feelings did not prevent him from accepting, soon after, the services of Archibald, and his father's murderer was employed to destroy his mother.)[60] He denied to Walsingham what he had professed to Guise, his connivance at Holt's escape. Such had education and environment made James at the age of seventeen.

The General Assembly met in October. They grumbled about

the reception of young Fintrie, about favour shown to David Chalmers, who, says Buchanan, had abetted the amours of Bothwell and Mary. The Assembly held him suspected of Darnley's murder, in which, apparently, a large part of the population had been engaged. The Assembly growled at the scarcity of witch-burnings, and made other more legitimate complaints. James was later to do their will on witches, and to do it with a zest. The best part of James's reply dealt with the pretensions of the preachers to dictate his choice of ministers, and to oppose his friendly relations with foreign Powers, "from which no princes or commonwealth in the world abstaineth, although being diverse in religion." The Assembly now "delated" Aristotle and other classical authors of heterodox opinions, to the number of twenty. Tutors at the universities must "evince their errors, and admonish the youth to eschew the same." [61]

On November 13 Lennox's son, a boy, arrived from France and was taken into favour, rising to ducal rank. A convention at Edinburgh, of December 7, stamped as traitors such Ruthven plotters as would not repent. Now the old Act approving of the Raid was deleted.[62] Angus was banished beyond Spey; Mar and the Master of Glamis thought of retreating to Ireland, others to France; Gowrie remained at Court. He had failed to arrange a revolutionary plot with Mar and Bowes, or had refused. James knew of a plot to kidnap him while hunting, planned by Angus (December 29).[63] "The matter is dissembled for the present."

The new Bothwell, Francis, son of a sister of the wicked earl, was beginning his career of storms by quarrelling with Arran. The turbulent John Durie, however, was subdued: threats of setting his head on a spike produced a recantation from him in the pulpit.[64] Mary's influence, Bowes believed, wholly governed James.[65] But at this time was captured Francis Throckmorton, an agent in Guise's great doomed project of an invasion of England; and that enterprise was to bring ruin, through Throckmorton's extorted confession, on many of its devisers. The rack, as usual, extracted from the unhappy Throckmorton all that he knew, and his account of an intended invasion alarmed the advisers of Elizabeth. They were really in no great danger: Philip required much more urging before he would move, and the Pope was stingy. Events were to prove that England could guard her own. But it seemed desirable to win over James. That worthy messenger, Archibald Douglas,

was to be sent to Scotland to tell James that Elizabeth would recognise him (January 23, 1584).[66] But on the very next day Bowes, from Berwick, informed Walsingham of a new plot of the lords of Mary's party, while the laird of Applegarth accused Angus of a conspiracy, already known to James, to seize him in the old way. Two English emissaries from Mary were working in Scotland; Bowes could not identify, and failed to kidnap them. A month later (February 19, 1584) James took the extraordinary step of writing to the Pope as well as to Guise. Arran, "that terrible heretic," was at this time the young king's chief adviser, and we are inclined to suspect that James, alarmed by the plots and rumours of plots, wrote without Arran's knowledge. He speaks of his gratitude to the Pope as the friend of his mother, and of his own danger from evil subjects leagued with Elizabeth, "with the object of utterly ruining me." Unless aided by the Pope, James will be forced "to second the design of my greatest enemies and yours." "I hope to be able to satisfy your Holiness on all other points."[67]

James must have been terrified by the plot of the English party, Angus and the rest, organised by Colville (the man of the Raid of Ruthven and of the mission to Elizabeth), who was now in exile at Berwick, working with Bowes. Some bishop, perhaps Patrick Adamson, who had carried his "feditie" to England on a mission, stood in the way, and Colville (March 23) thought that he should be "removed." Up to mid-April "the news was good," said Colville, and on April 19 Bowes was waiting to hear of the success of the plot. Rothes, Angus, Mar, and others were to meet in Lothian. Gowrie was loitering at Dundee, ready to join the rebels if they succeeded, to sail away if they failed. He appears to have been trimming. Certainly he was in touch with Angus through Hume of Godscroft. He professed to James his intention of sailing abroad, but he lingered, watching events, and equally distrusted by both parties. Elizabeth was being pressed to support the party which she had so often deserted, when instead of joyous news of the success of the blow to be dealt on April 18, Bowes received evil intelligence. Arran knew everything, and had only waited till the head of the tortoise peered forth from the shell. Gowrie was taken, after resistance, at Dundee, by Colonel Stewart. The head had peered out; Mar, Angus, and the Master of Glamis had slipped back to Scotland. After Gowrie's arrest they seized Stirling Castle. Within two days James and Arran were marching against them at the head

of 12,000 men. The leaders ran away and crossed the Border. Bowes confessed that he had blundered, and ought to be dismissed from service. A correspondent of Davison, who was on a mission to James, "had thought better of Randolph and Bowes," so that old Randolph seems to have had a finger in the fiasco. Angus and Mar were told by Walsingham that Elizabeth would do her best for them. It was the old story of a rising fostered and betrayed by Elizabeth. The preachers fled with the rest. Mr Andrew Hay, Mr James Lawson, Mr Walter Balcanquhal, with Mr John Davidson, that satiric poet, went to join Mr Andrew Melville across the Tweed. Elizabeth had recently hanged a considerable number of priests, and Arran was very capable of doing what Morton said needed to be done to preachers.

It does not seem that the Brethren fled before the execution of Gowrie. On May 27 Davison from Berwick wrote to Walsingham an account of the infamous trick by which Arran brought Gowrie to the block. The story is a partisan statement; it is told by Calderwood, but it is much in harmony with a manuscript account of the trial.[68] Mr Tytler accepts the narrative sent by Davison to Walsingham on May 27. It is to the effect that Arran and Sir Robert Melville visited Gowrie, and Arran cajolled him into writing a letter of confession to James, so as to secure an interview. Arran promised that this letter, "his own dittay," or indictment, as he said, should not be used against him. It was used, and Gowrie was executed, behaving with great resolution. If the story from the same sources—that Sir Robert Melville stood as Gowrie's friend at the block, and with Stewart of Traquair saw to his burial—is true, Melville can scarcely have been deeply involved in the treachery of Arran, if treachery there was, though Melville could play a double game in diplomacy. At the time of Mary's capture at Carberry (June 1567) he certainly dealt both for the lords, his employers, and for Mary, to whom he was devoted. But we have no reason to think that he would betray a friend like Gowrie, or that, if he did, Gowrie would treat him as a friend on the scaffold.

Gowrie had been in the Riccio murder. He had helped Lindsay to extort Mary's abdication at Lochleven. According to Nau, he had insulted her by his lust in the same castle. Throckmorton reported at the moment (July 14, 1567) that Ruthven was removed from the charge of the queen, "as he began to show great favour to her and gave her intelligence."[69] Mary revealed his conduct, and

showed a letter of his to Lady Douglas of Lochleven, says Nau, so the laird of Lochleven had him recalled. The evidence of Throckmorton and Nau tends to the same point. Gowrie had imprisoned his prince once, had been pardoned, had been trusted even as to the king's dealings with Guise, and yet had been engaged in this latest plot. But the method by which his conviction was secured was deemed "Machiavellian," and revenge may have been the motive of his son's conspiracy in 1600.

We have perhaps no right to connect Andrew Melville with the conspiracy now crushed by the death of Gowrie. It was earlier, on February 15, 1584, that Melville was summoned before the Privy Council. He was accused of seditious sermons and prayers, and explained that his words had been misunderstood. He claimed to be tried, in the first instance, before a court of the Kirk. This would, of course, mean an acquittal, and a secular court might fear to quash the verdict of the spiritual judges. He also protested that his accuser, one Stewart, was a private enemy. After giving in his "declinature" he brandished a Hebrew Bible, and asked if any one could condemn him out of that. He was practically found guilty of contempt of court, and ordered to go to prison in Blackness. "He made as if he intended to obey the sentence," says his biographer, Dr M'Crie, but he fled to Berwick—not without breach of parole, as some may conceive. Probably he cannot fairly be charged with refusing, as an ordained minister, to submit to a secular court in the case of a charge of seditious language. His plea rather was that he should be heard, in the first instance, by spiritual judges.[70] But then they would give a verdict in his favour, and how could a secular court reverse the doom of the prophets?

As for the other preachers in exile, some, it seems, had withdrawn after Melville's flight, weeks before the attack on Stirling. The others looked only for "bloodie butcherie."[71] In these distressing circumstances a General Assembly, which was asked to reprobate the Raid of Ruthven, broke up without doing business. It was when Mar held Stirling, and he wrote a letter to the Brethren, but the occasion was awkward, and the Brethren did not commit themselves, "awaiting a better opportunity."[72]

In this condition of the Kirk Patrick Adamson returned from England. He had bestowed his "feditie" on Mendoza, before that ambassador was dismissed after Throckmorton's confessions. "He haunted also Mr Archibald Douglas his companie, and sindrie other

suspect places." He bilked a tailor of £7. He borrowed a gown from the Bishop of London, but did not send it back to that prelate. He did something even more remarkable, for which he was batoned by the porter at the palace.[73] According to Calderwood, Adamson must have acted like a less decorous Archbishop Sharp.

The proceedings of James and Arran, on Adamson's return, indicated what proved to be the permanent bent of the young king. France, in reply to Lord Seton, had advised James to proceed "by the gentle way" in resettling his realm.[74] The advice, though disappointing, seemed excellent, but how was it practicable? To pardon all the lords conspirators would only breed new conspiracies. To permit the unbridled licence of the pulpit was no way of bringing peace. Moreover, Arran wanted the spoils of Gowrie, the Douglases, and the Hamiltons, who had been hanging about the Border waiting for the success of the Raid of Stirling. James showed, in these circumstances, his despotic tendency, his zeal for Episcopacy, his determination to be the head of the Kirk as well as of the State. Without dominating the Kirk, indeed, his headship of the State, and even the State itself, were futile. The time was not ripe for public opinion to take its due share in the commonwealth, by parliamentary representation and the open discussion of the platform and the press. The press was represented by clandestine pamphlets and placards; the modern House of Commons had its parallel in the General Assembly, but that, with the pulpit, was one-sided, and rested on the survival of spiritual privileges and pretensions, and on texts from ancient Hebrew Scriptures. The public opinion of the puritan middle classes found voice in sermons, but these perpetually trenched on sedition. Each change of Government was the result of armed conspiracy, and implied executions and forfeitures.

The course which James took for reinforcing the State was arbitrary, unconstitutional, and (in the eyes of the preachers and the Brethren) blasphemous. But what course was he to take? On the return of Adamson a Parliament was held at Edinburgh on May 18-22.[75] Naturally, and as usual, the Opposition did not attend. The Lords of the Articles were sworn to secrecy. The preachers were not represented. In four days the Parliament unmade much of the Reformation which in 1560 a convention had made as rapidly, and with as little discussion. Lawson and Balcanquhal, from their refuge in Berwick, complained of the revolu-

tionary speed; but it was the usual method in Scottish parliamentary proceedings (June 2).[76] The Rev. David Lindsay, sent by the brethren to inquire and remonstrate, was hurried to Blackness.

The Ruthven Raid was again declared treason. James and the Council, by the "Black Acts" as they were called, were to be judges in all causes, or to approve of the judges; and declinature of jurisdiction (as by Andrew Melville) was to be held treason. There was to be no more meddling with State affairs in sermons under penalty of treason, no General Assemblies without James's express licence. Episcopacy was established. The posterity of Gowrie was disinherited. The excommunication of Montgomery was annulled.[77] Angus, Mar, Glamis, and others were forfeited. Colonel William Stewart was made Captain of the Guard. Davison was in Edinburgh and reported these proceedings to Walsingham (May 23-27). James had now got what he really wanted, if he could keep it, and consequently he was at once independent of Guise, Spain, and the Pope, and had shown them, by establishing his supremacy in a Church after his own heart, that they could not hope for his conversion.

Having put his foot on the neck of the Kirk, James could no longer be expected even to promise to be converted to the Church. He was in the desirable position of being his own pontiff, like Elizabeth, after the Parliament of May, and this would bring him closer to England. For his mother's freedom he had no desire, far otherwise. James had only needed his mother's aid, as he had needed that of the Pope. The more noted preachers fled, and "flyted" from Berwick against Patrick Adamson. Both sides put in hits, and we learn from Adamson that the General Assemblies were called "Mackintosh's Courts," which we may conceive to have been unruly.[78] Ministers were compelled to subscribe a submission to their ordinary or withdraw. Lawson and Balcanquhal replied at vast length. What, had God not given to the preachers "the keys of binding and losing," and was a mere Parliament to take possession of these instruments, "and overpass Uzziah in usurping the office of the priests"?[79] "New presbyter," we see, "is but old priest writ large," and this pretension, at the root of a century of war and broil, needed to be put down.

The ladies joined the bicker. Mrs Janet Lawson (*née* Guthrie) and Mrs Margaret Balcanquhal (*née* Marjoribanks) rushed into the fray with a long letter. They quoted Latin, they cited Chaucer,

they called Adamson's style metallic ("hard iron style"). They said, "You lie in your throat!" They called Episcopacy "your new-devised Popedom." They denied that the Kirk had threatened to excommunicate the king.[80]

These were remarkable ladies, if their logic, their Latin, and their manners were all their own. But we are now entered on that deadlock between Kirk and State which never ended till, wearied and worn, the Kirk practically surrendered to the Prince of Orange. Later, Craig told the bullying Arran that he "should be cast down from his high *horse* of pride." That was an easy prediction, but Calderwood thinks it was fulfilled "when James Douglas of Parkhead thrust Arran off his *horse* with a spear and slew him."[81] Mr Froude spares a compliment to the "second-sight" of the preachers. Indeed their "subliminal premonitions" were ever part of their power with the populace.

NOTES TO CHAPTER XI.

[1] Hume Brown, ii. 169, 186.
[2] Calderwood, iii. 306, 307.
[3] Calderwood, iii. 385, 393.
[4] Privy Council Register, i. 640.
[5] Calderwood, iii. 415; Act. Parl. Scot., iii. 105, 138.
[6] M'Crie's Andrew Melville, i. 202.
[7] Calderwood, iii. 531, 532.
[8] Labanoff, v. 231, 237.
[9] For example, in the Parliament of November 1581, specially confirming the Act of Mary's last Parliament of April 1567 (Act. Parl. Scot., iii. 210).
[10] Calderwood, iii. 594, 595.
[11] Mary to Mendoza, January 14, 1582, Spanish State Papers, iii. 205, 206.
[12] Watts, apparently, was sent "before September" 1581, while on September 7 Mendoza writes to Philip that the six lords will "send a person of understanding who was brought up in Scotland" ('Edinburgh Review,' vol. 187, p. 324; Spanish State Papers, iii. 170). Apparently Father Persons sent Watts, the six lords sent some one else.
[13] Edinburgh Review, vol. 187, p. 326.
[14] Spanish State Papers, iii. 194, 195.
[15] Spanish State Papers, iii. 285-288.
[16] Spanish State Papers, iii. 320.
[17] Spanish State Papers, iii. 330, 331.
[18] Spanish State Papers, iii. 349, 350.
[19] Spanish State Papers, iii. 351.
[20] Spanish State Papers, iii. 371.
[21] Calderwood, v. 594.
[22] Calderwood, iii. 579, 580.
[23] Calderwood, iii. 597.
[24] Calderwood, iii. 623.
[25] Tytler, iv. 47. 1864.
[26] Calderwood, iii. 663, 664.
[27] Bowes, pp. 176-178.

[28] See Calderwood, iii. 643, for another version. Cf. Spottiswoode, ii. 290.
[29] Spanish State Papers, iii. 407; Froude, xi. 283. 1875.
[30] Calderwood, iii. 637-640.
[31] Bowes, p. 181.
[32] Calderwood, iii. 644.
[33] Thorpe, i. 426.
[34] Also Bowes to Cecil; Bowes, p. 182.
[35] Hume Brown, ii. 192.
[36] Spanish State Papers, iii. 399.
[37] Mary to Chateauneuf, December 8, 1585; Labanoff, vi. 239; Spanish Calendar, iii. 400; Spottiswoode, ii. 311, 312.
[38] Bowes, pp. 267, 268.
[39] Spanish State Papers, iii. 438.
[40] Spanish State Papers, iii. 438, 439.
[41] Calderwood, iii. 674.
[42] Bowes, pp. 236, 240, 253, 265.
[43] Teulet, ii. 538-546.
[44] Thorpe, pp. 437, 439. March-April 1583.
[45] James to Elizabeth, April 1; Thorpe, i. 438.
[46] Thorpe, i. 440.
[47] Thorpe, i. 443.
[48] Bowes, pp. 404-406; Thorpe, i. 446.
[49] Thorpe, i. 445.
[50] Bowes, pp. 425-431.
[51] Calderwood, iii. 716.
[52] M'Crie's Melville, i. 284-291.
[53] Calderwood, iii. 718.
[54] Teulet, iii. 352-355; Spanish State Papers, iii. 487, 488.
[55] See a letter from St Andrews to Mainville, July 13, Spanish State Papers, iii. 488-491.
[56] Teulet, iii. 355-361.
[57] Teulet, iii. 362-365; Spanish State Papers, iii. 502, 503.
[58] Calderwood, iii. 722, 723.
[59] Thorpe, i. 458, 459.
[60] Spottiswoode, ii. 303.
[61] Calderwood, iii. 731-747.
[62] Act. Parl. Scot., iii. 330, 331.
[63] Bowes to Walsingham; Thorpe, i. 464.
[64] Thorpe, i. 464.
[65] Thorpe, i. 465.
[66] Thorpe, i. 466.
[67] Spanish State Papers, iii. 518, 519.
[68] Caligula, C viii. fol. 29. The references for the plot and its failure are in the documents calendared by Thorpe, i. 466-470. The Bannatyne Miscellany, i. 91-107; Spottiswoode, ii. 309-314. Papers relating to William, Earl of Gowrie.
[69] Bain, ii. 350; Nau, p. 59.
[70] There is a disquisition on the point in M'Crie's 'Andrew Melville,' i. 286-310 (1819).
[71] Calderwood, iv. 44.
[72] Calderwood, iv. 37.
[73] Calderwood, iv. 49-62.
[74] Teulet, ii. 659.
[75] Act. Parl. Scot., iii. 290 *et seq.*
[76] Calderwood, iv. 73.
[77] Spottiswoode, ii. 314, 315; Calderwood, iv. 62-64; Act. Parl. Scot., iii. 296.
[78] Calderwood, iv. 87.
[79] Calderwood, iv. 99.
[80] Calderwood, iv. 126-141.
[81] Calderwood, iv. 199.

CHAPTER XII.

THE END OF MARY STUART. THE TRUTH ABOUT THE MASTER OF GRAY.

1584–1587.

THE result of the execution of Gowrie; of the exile of Angus, Mar, and the Master of Glamis; of the flight to England of the more extreme of the preachers, and of the restoration of royal authority with that of Episcopacy, was to leave James in his favourite position of "free king" (May 1584). The freedom, however, was merely subjection to his favourite Minister, Arran, with his avaricious wife, who ran a career of rapine unlikely long to endure. James, having attained what he wanted in the way of religion—namely, control over the Kirk—was no longer tempted to dally with Guise and the Pope, who could only do great things for him at the price of his change of creed. There was probably no moment when James really contemplated return to the ancient faith, and he had a dread of foreign aid, as dangerous to his own independence. He knew his subjects too well, and was too proud of the *via media* discovered by his own theological acumen, to adopt Catholicism. At the same moment the Catholic Powers, from Philip of Spain to Guise, slackened in their eagerness to assist him, and the discovery of Throckmorton's plot to kill Elizabeth, with his execution later, depressed the English Catholics, on whom James began to see that he could not depend as the means of securing for him the English succession. All these considerations inclined him to break off the long-contemplated association with his mother, to leave her to her fate, and to rely on Elizabeth. This part of James's reign, the space of about a year and a half in which Arran held power, was of very evil omen. It

was really a kind of reign of terror. Ministers were persecuted merely because they prayed for their exiled brethren. Hume of Argathy and his brother were executed for communicating with one of the exiles on a matter of private business.[1] Rewards were offered to informers, and Douglas of Mains and Stewart of Drumquhassel were later executed (1585) on a charge of conspiracy, which was believed to be derived from an informer in collusion with the Government, while Edmonstone of Duntreath was to confess, falsely, to being concerned in the plot, and was to be pardoned. Though many of these misdeeds may have been due to Arran's initiative, the king was no longer a child. His persecution of the preachers took forms which he was to renew, deliberately, in his maturity. Already he was playing the tyrant as opportunity served, and unendurable as spiritual tyranny is, it was matched in odiousness, or excelled by the conduct of the king.

While he waged a war of pamphlets and letters with the banished preachers, especially with James Melville, who was with the exiled lords at Newcastle, he was turning towards a league, or an exchange of good services, with England. The Spanish diplomatists believed that James was still running their course, and Philip sent him 6000 ducats.[2] What James and Arran desired above everything was the extradition of Angus, Mar, and the rest, or at least their expulsion from England. While they dwelt on the frontier, and paraded Berwick in armed companies, now encouraged, now depressed by the caprices of Elizabeth, neither Arran nor James had an hour of security. The English Ambassador to Holyrood, Davison, was intriguing and conspiring with these busy exiles. He was especially fomenting a plot to seize Edinburgh Castle, then under the command of Alexander Erskine, of the Mar family. This appears from Davison's letters to Walsingham of July 4, July 14, and other despatches.[3] But while Walsingham was backing Davison in this treachery, and inclined to release Mary (who was expected to plead for the exiled lords), Cecil was running a "bye-course." His idea was to send Lord Hunsdon on a private mission to meet Arran at Faulden Kirk, on the Border. The two might arrange a *modus vivendi* with James, which would leave Mary deserted. Hunsdon had an interest of his own, a marriage between James and a lady of his family. Arran hoped to gain from Elizabeth the expulsion or extradition of the exiled lords, and

security against the sermons of the exiled preachers. In return he could offer the abandonment of Mary by her son, and a complete revelation of the Catholic conspiracies against Elizabeth. These would be betrayed by the Master of Gray, a young man of great beauty, a favourite of James, a Catholic, and lately a trusted agent of Mary's at Paris. In the March of 1584 the Master had sheltered in his house at Edinburgh Father Holt, the captured Jesuit whom James had favoured, conversed with, and secretly released.[4] At that time the Master had recently returned from Paris, where he dealt with the Duc de Guise in Mary's and James's interests. From Paris he had earlier conveyed "great store of chalices, copes, and other things belonging to the mass, to spread abroad in Scotland."[5] But the events which left James a free king, and the delays of Philip and Guise, had turned the Master into a new course. He would betray Mary, ally himself with Arran, and, when his hour came, would betray Arran in turn and attain power.

While Cecil and Hunsdon were thus working behind the backs of Walsingham and Davison, while Davison was conspiring against the king to whom he was accredited, while Arran was designing to abandon Mary, and Gray was preparing to betray both of them, an agent of Mary's was in Scotland, Fontaine, or Fontenay, the brother of her French secretary, Claude Nau. His mission was to speed the execution of Mary's old enemy, Lord Lindsay, then a prisoner, and to complete the "association" between mother and son.[6]

Fontaine at Holyrood was in an unenviable position. He and his brother Claude Nau, Mary's secretary, were disliked and distrusted by the Duc de Guise, and by Mary's ambassador in France, Archbishop Beaton. They were no less detested by the Master of Gray. This astute young man had obviously discovered the vanity of the Catholic plottings in which he had been initiated. They were mere cobwebs spun by priests to whom the foreign statesmen never seriously trusted. Cecil had spies everywhere, and on the rack the captured intriguers told all they knew, and more. Gray found Arran and the king turning to Elizabeth: he turned with them. James, to be sure, accepted a sword sent by Mary and declared himself her knight. The axe, she hoped, would soon be red with the blood of her old enemy, the Lindsay of Carberry Hill, of Lochleven, one of the envoys who exposed the casket letters. But James's words were only part of his genial dissimulation: he

was never so affectionate as when he was treacherous; he never betrayed but with a kiss. Moreover, Gray had taught him distrust of Archbishop Beaton, and of the Jesuits. The Master told Fontaine that Father Holt, his confessor, had refused him absolution unless he revealed all that he knew of Mary's affairs, and that ever since he had "hated Jesuits like the devil." The dislike was mutual. There was a Father Edmund Hay (he who with others advised Mary to exterminate Murray, Lethington, Argyll, and others, just before Darnley's murder), and about Father Edmund, Gray later wrote thus to Archibald Douglas: "Of late, being in Stirling with his majesty, a gentleman, to you well enough known, brought to me a man who confessed that Mr Edmund Hay, the Jesuit, had dealt with him to take my life. I offered him 20 angels to get trial of it, and after I had gotten trial, 500 marks. He received the angels, and brought me a letter, whereof receive copy." Three schemes had been laid to shoot Gray. We hear no more of what was probably a mere plan by the informant to get the angels.[7]

Meanwhile Gray, said Fontaine, had been bought by England: Fontaine saw the gold, angels and rose nobles to the value of 5000 crowns. To Nau, Fontaine was even more explicit than to Mary. James was very clever, he said, but immeasurably conceited, timid, rustic and mannerless in dress, bearing, and in the society of ladies. Bodily he was weak, but not unhealthy. Hunting and favourites were his delight; in business he was indolent, though capable of bursts of energy. "Like a horse with a turn of speed, but no staying power," is a modern rendering of James's own description of himself. He could never be still in one place, but wandered vaguely up and down the room—the James of 'The Fortunes of Nigel.'[8]

The treachery of James towards his mother might answer Macnamara's question to Prince Charles (1753), "What has your House done, sir, that Heaven should pursue them with a curse?" The callous dissimulation and perfidy of James may furnish the reply. He was now eighteen: his whole life had been passed under terrorism; he had again and again been captured, his existence threatened; menaces against him had rained from the pulpits. He could trust nobody: the ambassadors of his cousin and godmother, Elizabeth, had been, and still were, his dangerous foes. Even Mary he could not confide in: his natural selfishness was

whetted by the prize of the English succession: his high notions of prerogative were inflamed by his own condition of slavery. From infancy he had resorted to dissimulation, the weapon of the weak. Hunsdon, later, wrote, as to James and Arran, that they might be trusted "yf they be nott worse than dyvelis."

James, under his wretched circumstances and training, had become what he was. An orphan, for all that he knew orphaned by his mother's hand; a king, who wept when alone with a kind of gamekeeper, because, for all that he knew, he was the son of an Italian fiddler; no prince was ever so unhappily born, bred, and trained.[9] Thus it may be that, on occasion, James was "worse than devils," in Hunsdon's words. But while Arran and Gray were about betraying Mary to Elizabeth, Davison, dining with James, observed "the poor young prince, who is so distracted and wearied with their importunities, as it pitied me to see it, and, if I be not abused, groweth full of their fashions and behaviours, which he will sometimes discourse of in broad language, as he that is not ignorant how they use him."[10]

From June onwards the double intrigue (of Davison and the partisans of the exiles to seize the castle; of Cecil, Arran, Gray, and Hunsdon to sell Mary) went forwards, enlivened by a noisy scene of insults between Arran and Craig, a recalcitrant preacher. James had issued a letter against the fugitive divines which he would have their brethren to subscribe. Craig at this time refused (July 4).[11] Towards the end of the year he and most of the ministers took this test, with a qualification. On July 12 one of the recalcitrants, Howeson, was examined before James at Falkland. He had preached on the favourite text, "Whether it be right in the sight of God to obey you rather than God, judge ye." The suppressed premise on all these occasions was that the preachers were the only judges of what God commanded, and somehow His commandments were almost always opposed to those of the State. "In case they preach treason in the pulpit," they said, "the king, the Assembly, and they to be judge what they preach, and whether it be treason or not." The preachers were to have the casting vote as to the treasonable nature of their own sermons.[12] In James, and in such men as he was likely to have for counsellors, the State was poorly represented. But no human community could endure to be governed by sermons, and the strife was not decided till after more than a century of broils and bloodshed.

While these unseemly religious skirmishes were going on, James (July 10) appointed Arran to treat with Hunsdon, to the disgust of Walsingham, who was deep in the plot for holding the castle against the king.[13] The news of the murder of the Prince of Orange, which reached Edinburgh at this time, is said not to have been ungrateful to James, but it naturally increased the alarm of Protestants everywhere. The castle plot was presently detected, just as Arran was about to ride to meet Hunsdon. Arran from Falkland (August 5) announced apparently another, and probably false, plot to Hunsdon in the language of contemporary piety: we give the substance of the epistle below.*[14] Calderwood, the Protestant historian, tells us that Arran "made a fashion of apprehending" Drummond of Blair, who confessed to this conspiracy. But the castle scheme, judging from the letters of Davison and Walsingham, was genuine.[15] The exiled lords denied their complicity. Alexander Erskine was removed from the command of the castle, which was put into Arran's hands, while Erskine (whom Elizabeth was about to supply with money) fled into England.[16] On August 14 Hunsdon reported his meeting with Arran at Faulden Kirk.[17] Arran was accompanied by nearly 5000 horse, but the English and Scottish soldiers were arrayed at a distance of two miles from each other, some forty gentlemen of each side attending the chief negotiators. Arran's vows of goodwill were such as Hunsdon thought could be trusted, "unless he be worse than a divell." The more important parts of Hunsdon's commission dealt with James's harbouring of Jesuits, such as Father Holt; his intended "association" with Mary, and his intrigues with the Pope, France, and Spain. As to Jesuits, Arran replied that Elizabeth entertained James's rebels. There was no truth, he said, in the story of the association with Mary. James had never sent any message to the Pope, or dealt

*[14] "My verie good Lord,— . . . But the same daie and in the verie artickell of tyme of this my formr conclusion, God Almightie, the god onlie of all truth moved the hart of a wicked conspirator to utter a plat of Treason concluded betwixt them his Mate Reabells, and some their faverours amongst us wth all their conclusions of their divelishe execution against his moste innocent Matie, and other worthie nobellmen of his Councell, uppon the wch sens that same tyme I have bene contyneuallie occupied in examynations and triall taking and in apprhending some knowne giltie. In eande (all praise to God) so farr have I pffited that their same psons have confessed the whole purpose, and subscribed their deposicions themselves, as I hope by Gods Grace to lett yor L. see shortlie face to face. . . .—Yor L. moste loving &c. Arrane."—State Papers, MS. Scot., Eliz., vol. xxxvi. No. 12, i.

with Spain or France. This was a deliberate lie, as James's extant letters to these Powers demonstrate. Arran promised to betray Catholic dealings with James to the prejudice of Elizabeth. Hunsdon then asked that the exiled lords might not be forfeited by the approaching Parliament. Arran had an easy task in proving the treason of these exiles, and the aid lent to them by Bowes, Elizabeth's ambassador. Only a fortnight ago their latest conspiracy had been revealed. Hunsdon remarks that, but for the share of Erskine in the castle plot, he might have procured the pardon of Mar, but that James was irreconcilable to Angus and the Douglases, who held him in deadly feud for the sake of the Regent Morton.

James, indeed, as regards the Douglases, was situated much as James V. had been when Henry VIII. harboured an earlier Angus and Sir George Douglas. The Douglases had done their best to slay him when a babe unborn; Douglases had taken part in his father's murder; Morton had been his mother's bitter foe, and had dominated himself, and to this brood of rebels the arms of England were always open. The present Angus was a Puritan devotee, and allied with James's enemies, the preachers. "A harde matter to doe any thinge for them,"—the Douglases,—Hunsdon confesses. After nearly five hours of talk, Arran presented to Hunsdon the Master of Gray, for whom James asked a safe-conduct to Elizabeth. But three weeks earlier James had promised his mother to send one of his gentlemen to demand her release,[18] and now he was despatching the young and beautiful Gray for her undoing. Arran then professed that James (or he himself, the sentence is obscure) "never saw Jesuit in his life, and did assure me that if there were any in Scotland, they should not do so much harm in Scotland as their ministers will do in England, if they preach such doctrine as they did in Scotland." Elizabeth, who had her own Puritans, "a sect of perilous consequence" to deal with, presently silenced the exiled Scottish preachers.

On the same day (August 14) Hunsdon also wrote to Burleigh insisting on Arran's good faith, and practical kingship of Scotland, a point not to be forgotten in judging the unhappy James. "They do not stick to say that the king beareth the name, but he [Arran] beareth the sway." "He seems to be very well learned. . . . Latin is rife with him and sometimes Greek." "Avec du Grec on ne

peut gâter rien!" Hunsdon complained that the pious exiles vapoured about Berwick with pistols, and were continually crossing into Scotland. They ought to be removed inland, a thing which Elizabeth did not grant till about Christmas. Hunsdon was explicit about Gray, he was to "discover the practices" against Elizabeth. "He is very young, but wise and secret. . . . He is no doubt very inward with the Scottish queen and all her affairs, both in England and France, yea, and with the Pope."[19] Perhaps because Hunsdon's wishes and ambitions prompted him, he was fairly won over by Arran, while Cecil's nephew, Sir Edward Hoby, wrote letters in the same sense. There was in Arran an air of splendid mastery. Hoby regarded him as practically king *de facto*. While all the rest of the company wore secret armour, Hoby believed that Arran and the Master of Gray wore none, though Arran did not conceal his knowledge that many of his retinue would gladly cut his throat.[20] He placed his king and himself at the feet of Cecil, Mary's most persistent enemy.

On Arran's return to Edinburgh he was welcomed by the guns of the castle, a novel honour, and Parliament, which presently met, ran its course. In Edinburgh Davison, chagrined by Arran's success, describes to Walsingham the forfeitures which fed the avarice of the favourite's wife. The brutal treatment of Lady Gowrie by Arran is especially insisted upon. He pushed her down in the street when she wished to present a petition (August 24). Her genealogy has been doubted, but she was a Stewart of the line of Methven, third husband of Margaret Tudor, and a woman of high ambitions. This August Parliament was busy with confirming the forfeitures of the exiles, and of the heirs of Gowrie. An Act was passed by which all "beneficed persons," preachers and teachers, were compelled to sign approval of the ordinances of the Parliament in May, with promise of submission to bishops. The penalty for refusal was loss of benefice.[21] Many preachers presently did subscribe, with a qualifying clause.

Meanwhile from Berwick Hunsdon reported to Cecil the usefulness of the Master of Gray, who knows, and will reveal, all the plans of Mary. "The king here, nor the Earl of Arran, know nothing of those practices but by him, and so the Earl swore to me" (August 29).[22]

From Edinburgh James went to Falkland. Hither, if we are to believe a Border ruffian, Jock Grahame of Peartree, that rogue was

brought, and was bribed by James himself to shoot Angus. But Jock, though he cherished a feud with Angus, had none with Mar. His conscience was easy as to slaying Angus; Mar he would not meddle with. The bribe was never paid, and there was no shooting, while the whole anecdote rests only on Jock's deposition, taken by Lord Scrope (November 25). The deposition was recorded by Calderwood, and, given Jock's character, is hardly good evidence.[23] That he made the statement, however, is certain.

Meanwhile the embassy of the Master of Gray was delayed, and Elizabeth was doubtful of him, while as to Arran's mendacity regarding James and the Jesuits she was in no doubt. The capture of Father Creighton at sea, and the discovery of his papers about the old Guise plot, increased her suspicions. She thought of allowing the exiled lords to reside at Holy Island, within a short hour's ride of the Border, and on October 6 she informed them that she was mediating for them with James. But by October 19 Gray received his credentials. Davison had informed Walsingham that James "disliked the change"—that is, the betrayal of his mother. His scruples may have delayed the mission of the traitor, which, as regards Mary, Arran may have arranged unknown to the king.[24]

But Mary, in a letter to Gray of October 1, denounced Gray's pretence, made to her, that he was to announce to Elizabeth a merely *apparent* discord between herself and her son. She said that Elizabeth's sole policy was to feed James and herself with false hopes, so as to withdraw them from their Catholic allies. And, indeed, this was Elizabeth's purpose. Mary had often taken the bait. If she and Elizabeth appeared to be approaching an agreement, Mary was at once dropped by the Catholic princes, and then there was no reason why Elizabeth should allow the treaty to go farther. When Mary, consequently, turned to France, Spain, or the Pope, then the measures in which she became involved were necessarily acts of hostility to Elizabeth; so the unhappy captive queen was more severely treated, and, at last, was executed. There was no escape from the weary round, of which the end was approaching. As late as September 7 Mary had been expecting much from a visit of Sadleir, who had seen her naked in her cradle. She was now (after August 25) at Wingfield; Shrewsbury no longer had her in charge, after certain false and odious tales circulated by his wife. Mary's secretary, Nau, was to visit the English Ministers, and Elizabeth was professing that Mary must be allowed to return to Scot-

land. Mary was expressing gratitude to Archibald Douglas, and hopes of seeing the Master of Gray. But by October 1 she knew that Gray was playing a double game, and she had warnings from Fontaine in Scotland. She told Gray that she was apprised of his betrayal, by rumour, urged him to be loyal, and warned him against Archibald Douglas, of whom she must recently have learned something. Walsingham having bought the secretary of the French Ambassador, who deciphered this letter for the Master of Gray, knew all that Mary had said of Archibald and of Elizabeth. Gray presently wrote to Mary a letter of the most dastardly insolence, and it was clear, though Elizabeth hesitated till near Christmas-time, that Mary was lost.[25] Elizabeth continued to hesitate and Mary to hope. An Italian Jesuit, Martelli, warned her that she "had too many irons in the fire." She is accused of having written to a supporter in Spain, saying that she had no expectations from her treaty with Elizabeth, and that the Pope and Spain should speed on an invasion of England.[26] Dangerous work; but, unless the Catholic Powers were active on her side, she well knew that Elizabeth would only play with her like a cat with a mouse.

In October-November the English association was formed for the protection of Elizabeth, and the slaying of any person by whom, or *for* whom, an attack was made on her life. This shaft was aimed at Mary, guilty or innocent. Gray's negotiations dragged on; Mauvissière, the French Ambassador, said that James was abandoning his mother.[27] Nau came from Wingfield to London to speed the treaty for Mary's liberation. Mary was ready to consent to any conditions. She bade the Guises abandon the expedition which they never meant to make. But the Pope, of course, by the old seesaw, now reproached Mary for a treaty with a heretic. The natural results followed. No longer in fear of the Catholic Powers, Elizabeth extracted from Gray such secrets as he had to sell; in return she removed the exiled Scottish lords to the south, and sent Mary to the dismal and pestilent prison of Tutbury. Here she was so guarded that she could not conspire: Paulet, her gaoler, saw to that. Gray seems to have carried his point and sold his queen about December 22,[28] and Fontaine, as an enemy of the successful Master, was banished from Scotland. By January 24 the Master was back at Holyrood, and could report that James's association with his mother was cancelled. A scoundrel always has an excuse; Gray's was that Mary had behaved ill to himself, in listening to

Fontaine and Nau.[29] While in England Gray had laid the foundations of a plot for the ruin of Arran, of whom he was jealous, and it may be suggested that this plot, rather than any revelations as to Mary which he could make, was the basis of his success. Gray's beauty and charm won for him, while in England, the friendship of Sir Philip Sidney, which Gray, who was human, though a Scottish politician of the period, returned with sincere affection.

Elizabeth knew that Arran was not to be trusted, and wished him out of the way. In April 1585, after the Holy League of Guise to exclude Henry of Navarre from the French throne took shape, Sir Edward Wotton received his instructions as ambassador to James, with vague promises of a pension, and actual gifts of horses and hounds. Wotton's business was to secure, against the Holy League, a league between England and Scotland; but, as usual, the chief affair of Elizabeth's ambassador was to dabble in plots against James and his chief advisers. He found Gray, Morton (Maxwell), and others bent on violence against Arran, but he gave to Gray a letter from Elizabeth in which she discountenanced such measures. It would be wiser merely to drive Arran from Court. James approved of a league with Elizabeth, and the terms were reduced to writing. Meanwhile Mary, in the wretched captivity of Tutbury, had been inclined to threaten James with her maternal curse. She hoped to see and work on his Justice-Clerk, Bellenden, who was on a mission to London. Mary attributed James's filial impiety to the influence of Gray, but it was on James that she would invoke the Erinnys of a mother's malison. Her rights she would bequeath to her son's worst enemy, and she repeated her suspicions of Archibald Douglas.[30] While Mary's despair deepened, and was apt to drive her into perilous courses, at Edinburgh the English Ambassador was dealing with his allies, the conspirators against Arran.

Bellenden proposed a useful assassin, and that person, a Douglas naturally, had an interview with Elizabeth's envoy. On the whole, Wotton discouraged the Scottish love of dirk or gun; but his affair of the league between James and Elizabeth was prospering, when on July 29 he had to announce the slaying of Sir Francis Russell and the capture of Sir John Forster in a Border brawl. The slaughter was, possibly, in revenge for a recent English foray, but it was perpetrated on a day of truce. Mendoza heard that the affair rose out of an Englishman's refusing to pay for a pair of spurs bought from a pedlar. A Scot remonstrated, the Englishman struck him,

a brawl began, and Russell, coming out to quiet it, was slain. So Mendoza wrote from Paris.[31] The king wept at the ill news, and the chance was seized to throw suspicion on Arran as instigator of the deed. Arran was therefore warded in St Andrews Castle, but later consigned to his own house. Wotton advised Elizabeth to take great offence at Russell's death (which seems to have been caused in chance mellay), and to make it a handle against Arran.[32] The occurrence of a plague in the chief towns raised "the common clamour of the people against the earl and his lady," says Calderwood, while the wet weather was also laid to his guilt, atmospheric effects having political causes. Arran, however, bribed the Master of Gray to procure his release from St Andrews Castle; or perhaps Arran extorted this favour by using his knowledge of the Master's conspiracy against his own life. This appears more probable (though Wotton speaks of bribery), as the Master (August 14) wrote to consult Archibald Douglas on his new dilemma. Elizabeth he had offended by releasing Arran: Arran had him in the hollow of his hand; so Gray saw his only hope in the return of the very exiles whose removal from the Borders he had himself accomplished. Gray had cut himself off from Mary, from the Catholic Powers, from England, though he was "very penitent," and from Arran. The exiles were his only resource.[33]

On August 25 Wotton, being on a hunting expedition with James, wrote to Walsingham.[34] Gray had just told him that it was vain to hope to alter James's affection for Arran (though he was at the moment removed from Court), and that while James was in this mind the exiles could not be restored by fair means. The league with England would be frustrated, Gray would be in peril, and Arran might carry the king into France. Elizabeth, therefore, should make a grievance of Russell's death, decline to negotiate for the league, and "let slip" the exiles, provided with money; Gray would communicate with them through "a special friend of his" in England (Archibald Douglas probably). Wotton added that Morton (Maxwell), then at feud with Arran, was thought to be in alliance with that earl, who supplied him with gold sent from France; possibly Morton would seize James and take him to that country. Wotton ends, "If this plot" (Gray's) "take place I hope I am not such an abject but I shall be revoked before." He made no other demur, though James was negotiating a league with England, and though the conspirators intended to seize the king

(September 1, Wotton to Walsingham). The adventurers included Morton (who was in disgrace because of a Maxwell and Johnstone feud), Mar, Angus, and the Hamiltons. But Arran had reverted to the French faction, he encouraged Holt and Dury, the Jesuits, and received money through Robert Bruce (not the celebrated preacher of that name), who was apt to play the part of a double spy.

Early in September the news of the enterprise of the exiles was rumoured abroad, reaching Arran and James, who wrote to Hunsdon. Arran being on the alert, and still, though not at Court, in secret favour with James, Wotton knew that his own life, after all his treacheries, was hardly worth a week's purchase. In his letters he proves himself far from courageous, and incessantly asks to be recalled, as the Scots "have no sense of honour."

These people have honour eternally in their mouths, even when an ambassador is doing his best to let loose on a king his worst enemies, and the exiled ministers, for these devoted men were praying, and preaching, and conspiring with the best. By September 18 Gray announces a probable pardon for Archibald Douglas: "the old fox" was likely to be a valuable tool. By September 22 Arran was mustering his forces to support the king. James meant to proceed in arms against Morton, and this was a fair pretext for a large levy of men. Elizabeth made an excuse out of the affair of the death of Russell for recalling Wotton, who, to his extreme relief, was safe in Berwick on October 15.

Only by hard spurring did he escape the hands of James; for the king had learned of the arrival of the exiles on the Border, where they were met by an army of friends. The Douglases marched north by Peebles, the Hamiltons joined hands with the Maxwells, under Morton, at Dumfries, and they all trysted to meet at Falkirk, 8000 men strong, on the last day of October. Meanwhile Gray was raising men in Fifeshire, nominally to march with James against Morton, really to surprise Perth. That all these movements of men should have been accomplished so secretly as to find James utterly unprepared, seems surprising to modern readers, familiar with the rapid conveyance of news. But we may reflect that England was now favourable to the exiles; that mounted couriers could easily be stopped on the way as they rode north with tidings; that the Border was populated by enemies of Arran; that the godly everywhere were partisans of Angus; that the Maxwells controlled the western Marches; that James, impatient of business, was given up

to sport,—"scarcely for hunting do we either eat or sleep," wrote the Master of Gray; and, above all, that Arran was "discourted," was at Kinneil, and could not defend his master.

No sooner did Arran hear of Wotton's flight and of the exiles crossing the Border than he rushed to Court, at Stirling, denounced Gray, and bade James command that traitor to his presence. Gray was summoned, and with equal courage and astuteness obeyed the call, and by his grace and craft persuaded James of his innocence. Arran determined to slay him in the royal presence; but news arrived that the exiles were within a mile of Stirling. Arran himself, with Montrose, kept watch on the town walls through the night of November 1. But next day he galloped off with one follower over the bridge of Forth, while the courtiers retired into Stirling Castle. The exiles raised their banners against it, James sent the Master of Gray to parley with them; they offered security to their king, but would give no promises as to Arran. The castle was not victualled for a siege; James surrendered; Montrose, Crawford, Rothes, Colonel Stewart, and others were taken, and Arran was proclaimed a traitor. Henceforth he skulked and intrigued till Douglas of Parkhead, many years later, avenged Morton by spearing his denouncer at Catslack; still later, Douglas was himself slain by a Stewart at the cross of Edinburgh. The strong places were handed over to the Hamiltons, Humes, Douglases, and Mar, while the Master of Glamis received the command of the Guard.[35]

It was a bloodless revolution. The king and the bishops were once more likely to be laid at the feet of the preachers, as after the Raid of Ruthven. Yet Catholics or crypto-Catholics, like Morton (Maxwell) and the Hamiltons, and a desperado, like Bothwell, with such an ideal traitor as the Master, were unseemly instruments in the restoration of our Zion. With his engrained dissimulation James affected to rejoice in the changes, and uttered a boastful Protestant speech in a Parliament held at Linlithgow. There was to be a league with England, a league of all Christian princes against idolatry. Yet "the king likes hunting better than church," wrote Knollys, the new English ambassador, to Walsingham.[36] In February 1586 the veteran Randolph succeeded to the English embassy. He did not find that the golden age had returned. The godly had already been sorely disappointed. They had expected that, as usual, the General Assembly would meet before Parliament met, and direct the course of that erring lay meeting by prayers and

petitions. They fixed on Dunfermline as the seat of their gathering, but Halket of Pitfirrane, the Provost, would not allow them to enter the town. Some years afterwards he fell by accident, or was cast by spirits, out of the third-floor window of the old House of Pitfirrane, —an obvious judgment on his wickedness in maintaining the law, "the Black Acts" of 1584, so Calderwood reports. The Brethren met in Linlithgow, where James Melville, returned from exile, found them but heavy-hearted. Angus was the only one of the lately banished peers who gave them any kind of support. The others, having attained their carnal desires, were indifferent to the welfare of the Kirk. A pestilence that had been raging ceased miraculously when the godly entered Stirling. Heaven, at least, was favourable.

On December 1 a Parliament was held at Edinburgh, practically to undo the work of the Parliaments of May and August 1584. The forfeitures were revoked, the Gowries were restored to their lands and dignities, the expelled ministers were reinstated in their benefices.[37]

There remained strife between the preachers who had subscribed, like the venerable Craig, the Black Acts of 1584, and those who had refused. Craig even preached against these recusants. Andrew Melville, however, took the opportunity of being "plain with the king." Some papers of controversy passed, James loving polemics next to hunting. He trusted, he said, that "the whole ministers of Scotland shall amend their manners" as to railing sermons. He quoted some Latin, and a little Greek (December 7, 1585).[38] The preachers, as James Melville said, "threatened, denounced, and cursed" the lords with evangelical ferocity. The lords took it sedately; but James scolded the Rev. Mr Balcanqual from his gallery in St Giles's. It appears to have been the theory of the preachers that whatever they said from the pulpit was inspired by "the Spirit of God." Thus (December 21) James wrangled with Mr Gibson, minister of Pencaitland—

King. "What moved you to take that text?"

Minister. "The Spirit of God, sir."

King. "The Spirit of God!" (*repeating thrice over tauntingly*).

Minister. "Yes, sir, the Spirit of God, that teacheth all men, chiefly at extraordinary times, putteth that text in their heart that serveth best for the time."[39]

We shall meet another example of this claim, which placed the

preachers on the footing of inspired prophets whose political harangues must be allowed entire licence. They claimed "the liberty of the Word," which meant a freedom of speech and of interference not endurable in a State ruled by the laity. But, on the other hand, Morton (Maxwell) now "set up the mass," for which he was imprisoned, and Claude Hamilton reverted to the French and Marian faction, corresponding with Philip of Spain.

On February 17, 1586, a *modus vivendi* between the king and the preachers was arranged. The king was to present bishops to the General Assembly, from which the bishop "received his admission." The prelate was to serve the cure of a special kirk, the "flock" having leave to oppose. A presbytery from within his bounds, or diocese, was to oversee his proceedings: he was to be rather a "moderator" than a bishop in the usual sense. For his private conduct he was to be responsible to the Assembly. There were other restrictions, and the Kirk retained the arm of excommunication, or "boycotting," that fatal "rag of Rome." Montgomery, the excommunicated bishop, was to "purge his offence" and be reconciled to the Kirk. A Mr Watson was to apologise in the pulpit for a trenchant historical parallel drawn by him between James and Jeroboam, in which James was represented as rather the worse of the pair,—"an odious comparison." It is to be presumed that on this occasion Mr Watson was not inspired. But in Fife James Melville and his adherents attacked their old enemy, Archbishop Adamson, as a person "envenomed by the dragon." On April 13 the Provincial Assembly of Fife excommunicated the Archbishop, but sent several preachers and a laird to reason with him. After some dispute the Assembly excommunicated the Archbishop, and he in turn excommunicated Andrew and James Melville. Their friends were said to be anxious to hang him: he is accused of acute poltroonery, and as a hare ran from South Street to the castle before him, "the people called it the bishop's witch."[40]

The Kirk, and the charge of witchcraft, proved in the end too heavy for the Archbishop. Dr M'Crie, the sympathetic biographer of Andrew Melville, regards the procedure of the Fife synod as "precipitant and irregular." The General Assembly, not the synod under Adamson's enemies, was the proper place for his arraignment. Though Calderwood denies that there was a conspiracy against Adamson, Dr M'Crie quotes a contemporary diary (April 10) to the effect that he "was stricken by the Master of Lindsay, and

Thomas Scott of Abbotshall." In May Adamson made a form of submission to the General Assembly, disclaiming superiority over his synod and right to judge ministers; so he was reinstated. The *modus vivendi* of February was brought before the Assembly in May, and was somewhat watered down, presbyteries being re-established. James could not yet erect bishops who were bishops indeed, but "the horns of the mitre" and the hated name of bishop were not removed from the fold. Andrew Melville (May 26) was sent north of Tay, to convert any Jesuits he might find in these benighted parts, and to give the town and University of St Andrews a little peace. But James had a master of the hawks who, again, had a friend who was a tenant of Andrew Melville's "New College" (St Mary's Hall), and James, for the consideration of a low rent to the friend of his falconer, restored Andrew Melville to his place.[41] James did nothing without an element of the grotesque.

During this unsettlement in ecclesiastical affairs Randolph was busy at Holyrood (February 26, 1586). His chief aim was to settle the league with England, and to procure the pardon and return of Archibald Douglas. As a traitor to Mary, Archibald was her foe, and his influence with James would be pernicious to the Scottish queen. That unhappy lady had been removed in January from Tutbury to Chartley. At Tutbury Amyas Paulet had excluded her from all news of the world, and, so far, her life was safe, for she could not conspire. At Chartley, however, Walsingham set his trap for her; arranged, with a Catholic spy named Gifford, a means of communication between her and her friends; opened, deciphered, copied, and then forwarded her letters to her abettors. Meanwhile Mary supposed that her faithful agent, Morgan, in the Bastille, had found the way by which she was communicating with Mendoza in Paris.[42] She informed him (May 20) that if James remained heretical, she had made Philip her heir. Walsingham thus acted as an *agent provocateur*, with the natural results. Mary might have been—she long had been—kept harmless perforce. Now she was committing herself, not only to the Catholic plan of invasion, but probably to Babington's murder plot, all of which was known to Elizabeth and Walsingham.

It is unnecessary to explore the intricacies of Walsingham's conspiracy. The advocates of Mary argue that she was not concerned in, or at least was not convicted of a part in, the assassination plot. The evidence, for lack of certain original papers, may not

have been technically complete. Mr Tytler, an impartial author, argues that forged additions were made to Mary's letters, and it may have been so, though the argument is not convincing. Mendoza wrote to Philip, "I am of opinion that the Queen of Scotland must be well acquainted with the whole affair, to judge from the contents of a letter which she has written to me, which letter I do not enclose herewith, as it is not ciphered, but will send it with my next" (September 10). No such letter appears in the Spanish correspondence. Mary herself denied that she was concerned in the murder plot, in a letter to Mendoza (November 23).[43] But if she schemed Elizabeth's death as a means of her own liberation, Mary acted in accordance with the principles of an age when kings, priests, and preachers delighted in the dagger. Elizabeth had been conscious of the plot against Riccio, and against Mary's own existence. Later, Elizabeth urged Amyas Paulet to play against Mary the part now assigned to Ballard and Savage against herself. Mary had pensioned the assassin of her brother, Murray, and now she was maddened by many years of cruel imprisonment and by unnumbered wrongs. Common prudence ought to have kept her aloof from Babington, but it would have been a moral miracle had any ethical considerations given her pause.

Meanwhile Randolph (April 1) secured James's signature to the league with England, and sent at the same time orally by bearer news of a Scottish conspiracy against Elizabeth.[44]

The Scottish conspiracy was connected with Lord Claude Hamilton, Morton (Maxwell), and Huntly, who offered to Guise, through Robert Bruce, to restore Catholicism, and hand over Scottish seaports to Spain.[45] On May 20 Mary wrote of Lord Claude as worthy to be Regent of Scotland, and to be declared heir to the crown if James had no issue, while James was to be seized and handed over to Spain.[46] The letter containing this plan, with Mary's intention to disinherit James in favour of Philip II., was of course detected and deciphered for Walsingham. When James learned the facts, his inclination to the league with England, and to the abandonment of his mother, was naturally increased. But he had already received and conversed with his father's murderer, Archibald Douglas. On May 6, from Randolph's lodgings in Edinburgh, Archibald Douglas wrote a very long letter to Walsingham.[47] He had met James in Gray's rooms on May 3. He presented a letter from Elizabeth in his favour.

James, after reading it, professed himself Archibald's friend, the friend of his father's murderer and his mother's betrayer, and envoy of the queen who was weaving her nets round Mary! The king acquitted Archibald, as to Darnley's murder, of all but that foreknowledge which every politician of the time had possessed, "so perilous to be revealed, in respect of all the actors in that tragedy, that no man without extreme danger could utter any speech thereof, because they did see it, and could not amend it." This was glaring hypocrisy. The confessions of Hepburn of Bowton, Morton, and Binning left no doubt as to the actual guilt of James's new friend. Meanwhile the Secretary and Archibald might arrange his trial (which they did by help of a packed jury, containing Archibald's friend, the famous Logan of Restalrig, and two other Logans; by suppression of evidence, and by the royal countenance). James then sought to find out how he stood with Elizabeth, and went so far as to hint at sending a Scottish contingent to aid her in the Low Countries. There Sir Philip Sidney was engaged, and the Master of Gray, for love of Sidney, had nearly ruined himself in levying a band of soldiers of fortune, whom he intended to lead to Flanders.

James was soon summoned back to his lords, and Archibald Douglas had a conversation with Maitland, the Secretary. He gathered that the league with England was unpopular with the nobles, as was the idea of an expedition under Gray to the Low Countries, involving as it did peril from Spain. The Court was full of jealous confederacies. Randolph, however, carried his point as to the league. After considerable delay it was confirmed at Berwick (July 5). The contracting parties were to maintain the Reformed religion, which was bearing such remarkable fruits of virtue: neither was to aid a foreign Power in any attack upon the other: each was to assist the other with armed forces, in case either was invaded. Rebels were to be delivered up or expelled. James received little satisfaction as to the succession, and his pension (£4000) could scarcely be extorted from the harpy-like clutches of Elizabeth.

As far as promises and parchment could go, Elizabeth was now secure against a Catholic invading force landed in Scotland, and James was utterly wrested from his mother's cause. July was employed in allowing Mary to involve herself, in appearance at least, with Babington and the murder plot; and on August 3 she was

taken when on a hunting ride and carried to Tixall. Her papers and her secretaries, Nau and Curle, were seized; Nau and Curle were cajoled into confessions. As early as July 22 Elizabeth had found the Master of Gray's stay in Scotland "necessary for her service," in consequence of reports now rife as to the enterprise by Lord Claude Hamilton, Morton, and Huntly. Gray and Archibald were to act as detectives for the English queen. It may be hoped that Gray, who had intended to join Sidney in the Low Countries and had spent freely in raising men, desired to escape from the necessity of more and meaner treasons towards Mary. By September 8 Gray reported to Archibald Douglas, now James's ambassador to England, the delight of the king at the discovery of his mother's conspiracy. "But his opinion is that it cannot stand with his honour that he be a consenter to take his mother's life, but he is content how strictly she be kept, and all her old knavish servants hanged." Gray added that the needs of all honest men "require that she were out of the way."[48] Walsingham requested Gray not to allow James to interfere. Mary's "trial" at Fotheringay had been arranged for, and was likely to be short. Presents of horses were made to James by advice of Archibald Douglas.

Mary was heard in her defence, without counsel or witnesses, at Fotheringay: at Westminster (October 25) the witnesses were examined without the presence of the accused. On November 22 the sentence of death was communicated to the Queen of Scotland, who received it as became her. But Elizabeth must still play cat and mouse. She had various selfish reasons for hesitation: it was not by any means certain that Mary's death would make her own life more secure; she did not love to set a precedent for laying hands on an anointed queen; possibly she may not have been unvisited by compunction. After making a sacred promise, symbolised by the gift of a ring with a diamond cut in likeness of a rock, she had imprisoned her guest, exposed her shame, devastated her country, turned the natural love between parent and child into hatred, and, finally, she had practically been *agent provocateur* of the plot for which her guest was to die. Her natural indecision was fostered by all these causes, but her Parliament and her Ministers were resolute.

As regards Scottish history, the only question of interest is, How did the king, and how did the country, behave in the shameful prospect of seeing the royal head touched by a foreign hangman?

The news of the conspiracy in which Mary was implicated had reached James's advisers early, before the conspirators themselves knew that they had been discovered. Mary was writing her fatal letters to Babington (fatal whether they are wholly genuine or not) on July 25 and 27. On August 1 (probably Old Style) the Master of Gray wrote to Archibald Douglas, who had set out to London as James's ambassador. The laird of Fintry (in France a Catholic ally of Gray's) had been with him; "it seemed to me his errand was for to know what conspiracy this was that of late had been discovered in England. I pretended I knew nothing of it as yet. He was very inquisitive, so I let him see that I thought his mistress" (Mary) "should be touched. He said that was an Allemanique quarrel" (*querelle d'Allemagne*) "to be quit of her."[49] By September 8 James was fully informed, and was congratulating Elizabeth, as we saw. His idea was (and probably remained) that his mother should be kept in such close confinement that further action on her part would be impossible. This had already been the case at Tutbury, and this course James recommended to Archibald Douglas (September 10). In an accompanying letter in "white ink" the Master told Douglas that though James desired his mother to live, "I pray you beware in that matter, for she were well out of the way." He suggested that Douglas should get money for him from Elizabeth, as he was much dipped by the expenses for his intended Flemish expedition.[50] On October 1 Gray informs Douglas that "the king is very instant for his mother," and intends to send Gray as his envoy to plead for her with Elizabeth. James must therefore have been hoodwinked by the Master, who himself then wished Mary "out of the way." On October 4 de Preau, calling himself Courcelles, and representing France at Holyrood, reports James's attitude. Lord John Hamilton and the faithful George Douglas of the Lochleven adventure had been warning him of his dishonour if Elizabeth "put her hands in Mary's blood." James, in reply, spoke of his mother's injuries to himself. He must consider his own interests, and he did not believe that Elizabeth would touch his mother without warning him. He adhered to his plan of strict confinement.[51]

Bothwell (Francis Stewart, nephew of Queen Mary's Bothwell) bluntly told James that if he allowed Elizabeth to slay Mary he deserved himself to be hanged next day. James "laughed, and said he would provide for that." But his nobles were higher of heart. They left him no peace (October 31) till he decided

to send an envoy, William Keith, a young man, and a pensioner of Elizabeth.[52] Gray foresaw that he himself would later be sent, and that the mission would be his "wrack"—as it was (October 25). James wished him at this inopportune juncture to press the question of his own succession, all that he really cared for, and Gray must "crab" (he says) either Elizabeth or his master. He never was in such a strait, and thought of escaping to Flanders, if Douglas could make Elizabeth advise James to that effect. If not, if he is obliged to go to England, "*I must be a Scottis man.* . . . I protest before God I shall discharge myself so of my duty, if I be employed, that whether it frame well or evil, the king my master shall not justly blame me." Thus good and bad even now warred in the heart of the Master, yet, of all his perils, he most dreaded—sea-sickness on the voyage to the Low Countries! "I will not for ten thousand pounds endure the sea this season." On the whole, among his confusions, it was plain to Gray that if Mary, after all, was to escape, it was best for him that it should be by his means.

It was a real grief to Gray that at this hour his friend Sir Philip Sidney was killed at Zutphen. We find the noble Fulke Greville bewailing his loss to Archibald Douglas. "Divide me not from him" (Sir Philip), "but love his memory and me in it." A strange shrine was the heart of the Douglas traitor for that heroic friendship! On November 6 the Master also laments the peerless knight, whose fall made his scheme of retiring to join Sidney in Flanders impossible. "He and I had that friendship, I must confess the truth, that moved me to desire so much my voyage of the Low Countries." The Master's love for Sidney came near to redeeming him, and perhaps linking his renown with that of Astrophel. The thought of Sidney seems to have inspired the Master, and he appeals to Archibald, as "a good fellow," to work in the interests of the men of the sword who were to have fought with him in Flanders, "that they be well used, and not made slaves of, as they are." "Would to God I could get again bygones!" he exclaims. It is the tragedy of a soul not yet lost.

Meanwhile every noble of heart was engaging in Scotland for Mary's behoof; but this, again, brought the Catholics to the front, which aroused the jealousy of the preachers.[53] Yet all Presbyterians were not so bitter, and Angus, the Abdiel among the nobles, desired to tell James, if he might see him, "that the nobles will not

endure that the Queen of England shall put her hands in his mother's blood, *who could not be blamed if she had caused the Queen of England's throat to be cut*, for detaining her so unjustly prisoner."[54] Angus struck the right note for Mary's defence, not that she was innocent, but that she was blameless. Even James remarked "that his mother's case was the strangest that ever was heard of, the like not to be found in any story of the world," and asked Courcelles "if he had ever read of a sovereign prince that had been detained prisoner so long time, without cause, by king or prince her neighbour, that in the end would put her to death." It had been James's wish to send Bothwell with the Master of Gray: a passport for Bothwell was refused by Elizabeth, Courcelles attributed the refusal to Archibald Douglas and Gray (December 31).[55] Courcelles represented James's attitude as more becoming when he wrote to Henri III. than when he wrote to d'Esnaval. From his letters to d'Esnaval we gather that James held by his idea of solitary confinement.

To Walsingham Gray described his mission as "modest, not menacing." James had sent a stern letter to Elizabeth by Keith, but for this Keith and Archibald Douglas apologised to Cecil: "it hath proceeded by a necessity to which the king is forced by the exclamation of his subjects" (December 6). This apology was offered by Archibald Douglas's advice.[56] He, if not Keith, had been betraying Mary's interests. They were clearly Elizabeth's pensioners, wrote de Vega to Philip from London.[57] Gray also apologised from Stamford on Christmas Day, as he rode south with Robert Melville. For the rest, as to Gray, historians denounce him for the betrayer of Mary to the scaffold, and as the wretch who, while pretending to plead for her, secretly urged Elizabeth to seal her doom. But the friend of Sidney did not sink so low. Gray, it will be made certain, discharged his duty like "a Scottis man." Earlier, before his embassy, he had wished Mary "out of the way." But now he took a nobler course, a course more worthy of his Astrophel, and the common story of his infamy appears to rest on a confusion between his attitude in August 1586 and his conduct during his embassy.

On January 6-16, 1587, Melville, Gray, and Keith had an audience from Elizabeth. Like Napoleon on such occasions, she bullied, saying that if she had such a servant as Robert Melville she would cut his head off. Melville replied that he was ever ready to

stake his life rather than advise his master ill, and that James had not one faithful servant who would counsel him to let his mother perish. Three or four days later (January 9-19) the envoys again saw Elizabeth and made proposals. They did not, like Charles II. when Prince of Wales, offer Elizabeth *carte blanche* for a parent's life. They gave the surety of James and all the lords. If Elizabeth would hand Mary over to them, they promised to make her resign, in favour of James, all pretence to the English crown, with the guarantee of the King of France. Elizabeth said suddenly, "That would be putting two weapons in the hand of my enemy in place of one,"—an obvious reflection.[58] She withdrew the word "enemy," and asked Melville if he could invent any security for her own life, if Mary were spared? Melville's arguments were good, she said, and she promised another audience.

Mr Froude's account of this interview is curious and most misleading. He writes: "Melville spoke at length, but vaguely; and, knowing that James was at heart only anxious for his own interest, Elizabeth suggested maliciously that, if she pardoned his mother, he should renounce his own pretensions in the event of any future conspiracy. If he would do this, the Lords and Commons might perhaps be satisfied and allow her to live. Neither Scotland nor James were [*sic*] prepared to sacrifice what they had set their hearts on with so much passion. The queen told the ambassadors that their request could not otherwise be granted. They made a formal protest, and withdrew." [59]

This did not happen. Elizabeth dismissed the envoys, after finding Melville's reasoning "good." The next audience was deferred for five or six days, and in this interval a gentleman unnamed was sent to Gray with the proposal which Mr Froude tells us that Elizabeth made to Melville, Gray, and Keith. Gray *rejecta fort loing ceste ouverture*, asking the gentleman if he was commissioned to make the hypothetical proposal, "which the other excused, as merely put forth by way of talk." [60]

It is thus, at least, that Mr Froude's authority, a "Mémoire" from Châteauneuf the French Ambassador to Elizabeth, describes the circumstances. Melville did not speak "vaguely," Elizabeth did not "maliciously" make this absurd suggestion attributed to her, to Melville, Keith, and Gray. Scotland and James knew nothing of the matter. The notion was mooted, some days later, to Gray alone, by an unnamed gentleman, who professed to speak

without authority, merely in a way of talk. In a later interview, according to the French account, Elizabeth announced her determination to put her hands in Mary's blood. The Scots delivered a protest, and said that James would summon the Estates and appeal to all Christian princes. Elizabeth declared that she would send an envoy to James, as she disbelieved his representatives. They averred that James would receive none of her envoys till their own return, and they sent to their king to demand leave to quit England. This they obtained "in five or six days." Elizabeth said that she would despatch her man, and they begged that Mary might live till his return. This grace Elizabeth refused. The Scots reported all to Châteauneuf, and went home. They had been accused of designs against Elizabeth, because one of their suite, Ogilvie of Pourie (later a double-dealer, and spy of Cecil), was found carrying unloaded pistols, as a present from Gray to an English friend.

Such is the French account, and it leaves no stain on the envoys of Scotland. The story that Gray "whispered in Elizabeth's ear, *The dead don't bite*," is found in Camden and Calderwood, and everywhere, but where is the authority? When had Gray an opportunity of whispering in Elizabeth's ear? Another version is that Gray used the phrase *mortui non mordent* in a letter to Elizabeth after he left London. Spottiswoode says that when Gray was tried in May 1587 he confessed "that when he perceived her inclining to take away the Queen of Scots' life, he advised her rather to take her away in some private way than to do it by form of justice," and, if this were true, Elizabeth certainly tried to follow the advice. (It is true of Gray before his embassy, but during his embassy he changed his note and was a true Scot.) But Paulet would not be her bravo.[61] Nobody impeaches Melville's loyalty, but he on January 26, 1586, declared to James that Gray "has behaved himself very uprightly and discreetly in this charge, and [is] evil taken with by divers in these parts who were of before his friends."[62] Melville also avers that "letters come from Scotland" represent James as indifferent to his mother's fate. We do not know what party was guilty of these letters.

Now we happen to be able to corroborate Melville's statement as to Gray in an unexpected way. The Master really did his best for Mary *during his embassy*, and really incurred the enmity of his former friends at Elizabeth's Court. The proof comes in a letter of March

3, 1586, from Edinburgh to Walsingham. The writer signs himself "876 ††." He was, in fact, Logan of Restalrig, so famous after his death for his alleged connection with the Gowrie Conspiracy. We can identify him, because, writing to Walsingham, he asks that letters for the Master of Gray from England may be sent to *him*, (to "876††"); and Gray himself, writing to Archibald Douglas, requests him to send letters, not direct to him, but to Logan of Restalrig. Thus Logan of Restalrig and "876††" are one and the same person. The letters are not in his own but in an Italian or "Roman" handwriting. By this means, after his return to Scotland, the Master concealed his correspondence with England.[63] Logan is therefore Gray's intermediary with Walsingham and Archibald Douglas. He also offers, being Gray's cousin and very intimate with him, to betray all his designs to Walsingham, like a good old Scottish gentleman. (Logan's mother was sister of Gray's father, Patrick, Lord Gray.)

The point, however, is that Logan corroborates Robert Melville's account of Gray's behaviour as ambassador. Standing up for Mary, he incurred the deadly hatred of Leicester, previously his friend. Gray himself, says Logan, is "greatly altered of his former goodwill professed to England." He has told the reason of the change to Logan. In autumn 1586, *before* his embassy, Gray had written to Leicester, "And that in matters of State and great importance which are not necessary to be rehearsed at this present . . . the matter itself was so odious." That is to say, *before* his embassy Gray had written to Leicester advising the death of Mary: even Restalrig thought this "odious." But, Gray warmly taking Mary's part in London, Leicester sent his earlier and odious letters to James by Sir Alexander Stewart. Leicester "did what in him lay to imperil the Master's life, standing, honour, and reputation for ever," says Logan, and Elizabeth orally gave Sir Alexander Stewart similar directions. Apparently Stewart thought it wiser to hand the letters back to Gray himself: Logan has just read them, and Gray is now hostile to Leicester and Elizabeth. Logan, however, will keep Walsingham advised of any anti-English movements of Gray. Thus Gray's advice that Mary should die is advice given prior to the death of his Astrophel, and to his own sudden (and short-lived) conversion. At his trial (May 15, 1587) Gray confessed that in August 1586, before Sidney's death and long before his own embassy, he had written thus to England: "*If* the Queen of England

could not preserve her own security without taking his majesty's mother's life, because *mortui non mordent, yet* it were no ways meet that the same were done openly, but rather by some quieter means."[64]

Thus, under criticism, the famous tale of Gray, with his *mortui non mordent*, dropped like poison into Elizabeth's ear, seems to vanish. The "whispering" during the embassy is replaced by writing *before* the embassy. We shall see that the offences which caused the fall of Gray had no concern with treachery during his embassy. We have also seen that (though an enemy of Mary), when once he was charged with her cause, to win her life was, in his own opinion, his true interest. This brought him ill-will, as Robert Melville and Logan wrote, among his English friends.

On Gray's return to Edinburgh Courcelles wrote to France (but appears not to have sent the message) that Gray had "behaved very honestly in England," and being now "malcontented for some secret cause with England," offered his service to France. Now Gray, before setting out on his embassy, had threatened that he would be avenged on Elizabeth if he failed. "If that queen do no better in things to the king than I see her minded, by God she will deceive herself. And, for myself, if I find such usage as hitherto I have received, the devil learn her!"[65] As to Mary's life, Gray "would rather win the thanks for it than otherwise." On the whole, then, it seems that Gray did not commit the crowning treason for which his name reeks in tradition. It is one thing to say, at the first news of the Babington conspiracy, that if Mary *must* die, it had better be "quietly," and quite another thing to use the office of a suppliant ambassador for the destruction of Mary's life. The Gray who was mourning for Sidney did not sink to that extreme of guilt, but quitted himself "like a Scottis man." His fall was the result of intrigues concerned with religion.

Meanwhile the preachers took the oportunity of Mary's approaching end to show their charity. On February 1, 1587, an Act of Council moved the clergy to pray for the unhappy princess, that God would illumine her soul with the light of His only Verity and preserve her body from an apparent peril.[66] The preachers, says Courcelles on February 28, "were so seditious as to refuse." Dr M'Crie, on the other hand (probably not without good grounds; see note 67), says, "None of the ministers refused to pray for the queen." Calderwood writes, "They refused to do it in the manner

he would have it be done," as directly or indirectly condemning Elizabeth, or suggesting Mary's innocence. The words in the Act of Council do neither one nor the other. Probably they objected to any request for prayer, for, of course, that was not direct inspiration by "the Spirit of God"; also, it was an act of royal interference. James later, says Spottiswoode, explained that the prayer was only for Mary's "enlightenment in the truth" (which is in John Knox) and pardon. That is precisely the meaning of the Act of Council. However, Mr Cowper was in the pulpit at St Giles's, and James bade him pray for the queen. Spottiswoode reports that Cowper said "he would do as the Spirit of God should direct him." As James very well knew what that always meant, he made Cowper come out, and the bishop (Adamson) went into the pulpit, to the disgust of the brethren (February 3). Cowper was warded in Blackness, but soon released. Spottiswoode avers that the bishop produced a favourable effect on his audience. Gray had written, before his embassy, that he never saw the people so united as in the cause of Mary's deliverance. On the day of Cowper's performance James interdicted Andrew Melville from preaching.[67] On February 8 Archbishop Adamson "compeared" before the kirk-session of St Andrews, with the king's verbal request that the minister would pray for his mother's "conversion and amendment of life, and if it be God's pleasure to preserve her from this personal danger wherein she is now, that she may hereafter be a profitable member in Christ's Kirk,"—that of Scotland.

The kirk-session graciously acceded to his majesty's desire. But Mary was in danger no more. On that very day was consummated one of the few crimes that have not been blunders. The only prison which her enemies could trust to hold the queen had closed on her:

> "To-night she doth inherit
> The vasty halls of Death."

May God have had more mercy than man on this predestined victim of uncounted treasons, of unnumbered wrongs: wrongs that warped, maddened, and bewildered her noble nature, but never quenched her courage, never deadened her gratitude to a servant, never shook her loyalty to a friend.

"She was a bad woman, disguised in the livery of a martyr, and, if in any sense at all she was suffering for her religion, it was because she had shown herself capable of those detestable crimes which in

the sixteenth century appeared to be the proper fruits of it." So Mr Froude, as if the professors of the fire-new gospel of Protestantism disdained the English design to murder Mary and James, or the swords that shed the blood of Beaton, or the daggers that clashed in the brain and breast of Riccio.

NOTES TO CHAPTER XII.

[1] Spottiswoode, ii. 321. [2] Spanish State Papers, iii. 525-529.

[3] Thorpe's Calendar, i. 478, 482.

[4] Forbes-Leith, Narratives of Scottish Catholics, p. 192.

[5] Stafford to Burleigh, October 30, 1583; Hatfield Calendar, iii. 15.

[6] His letters to Nau and Mary have been published in part by Mr Froude, but are fully printed in the 'Hatfield Calendar,' iii. 47, 117, 206. Probably they were seized later, at Chartley, with the rest of Mary's papers.

[7] Hatfield Calendar, iii. 172, 173.

[8] Hatfield Calendar, iii. 47-62.

[9] Papers of the Master of Gray, p. 16. "It is given out that he is not the king's son, but Davy's, . . . which he told Cuddy Armourer, with water in his eyes, being but they two alone." Armourer was a servant and emissary of Hunsdon.

[10] Davison to Walsingham, Edinburgh, August 24, 1584; Papers relating to the Master of Gray, pp. 5, 6.

[11] Davison to Walsingham, July 4; Thorpe's Calendar, i. 477.

[12] Calderwood, iv. 147. [13] Thorpe, Calendar, i. 479.

[14] See p. 308, footnote.

[15] Calderwood, iv. 169; Confession of Drummond of Blair.

[16] Davison to Walsingham, August 8; Thorpe, Calendar, i. 482.

[17] State Papers, MS. Scot., Eliz., vol. xxxvi. No. 17.

[18] July 23, James to Mary; Murdin, p. 434.

[19] State Papers, MS. Scot., Eliz., vol. xxxvi. No. 24.

[20] State Papers, MS. Scot., Eliz., vol. xxxvi. No. 29.

[21] Act. Parl. Scot., iii. 347; Calderwood, iv. 197, 198.

[22] State Papers, MS. Scot., Eliz., vol. xxxvi. Nos. 50 and 91.

[23] Calderwood, iv. 239, 240.

[24] Thorpe, Calendar, i. 488, 489; Papers of the Master of Gray, pp. 9, 10—Commission to the Master, October 14, 1584.

[25] Labanoff, vi. 16-27; Papers of the Master of Gray, pp. 30-37.

[26] Froude, vi. 39. 1870. [27] Teulet, iii. 326, November 25.

[28] Thorpe, Calendar, i. 490, 491.

[29] Papers of the Master of Gray, pp. 41-43.

[30] March 12; Labanoff, vi. 123-127. [31] Spanish State Papers, iii. 545.

[32] Thorpe, Calendar, i. 502. [33] Brit. Mus., Caligula, C viii. fol. 222.

[34] State Papers, MS. Scot., Eliz., vol. xxxviii. No. 33.

[35] Papers of the Master of Gray, pp. 58-61. [36] Thorpe, Calendar, i. 513.

[37] Act. Parl. Scot., iii. 373-422.
[38] Calderwood, iv. 448-465.
[39] Calderwood, iv. 485.
[40] Calderwood, iv. 401-503.
[41] M'Crie, Life of Andrew Melville, pp. 125-130 (1856); i. 362 (1819).
[42] Spanish State Papers, iii. 581.
[43] Spanish State Papers, iii. 663.
[44] State Papers, MS. Scot., Eliz., April 1, 2.
[45] Spanish State Papers, *iii.* 590.
[46] Labanoff, vi. *312, 322; Mary to Charles Paget.*
[47] State Papers, MS. Scot., *vol. xxxix. No. 66.*
[48] Papers of the Master of Gray, *pp. 106, 107.*
[49] Hatfield Calendar, iii. 157.
[50] Hatfield Calendar, iii. 173, 174.
[51] Courcelles' Negotiations, Bannatyne Club, p. 7.
[52] Courcelles, p. 11. In 'Hatfield Calendar,' iii. 185, Keith is printed "Heath."
[53] Hatfield Calendar, iii. 190-193.
[54] Courcelles, p. 13; October 31.
[55] Courcelles, p. 22.
[56] Thorpe, Calendar, i. 538.
[57] Spanish State Papers, iii. 676.
[58] The Master of Gray gives practically the same version, but makes himself the spokesman, and says nothing of Melville (Papers of the Master of Gray, pp. 129, 130).
[59] Froude, vi. 307 (1870).
[60] Teulet, Relations Politiques, iv. 166, 167; Mémoire pour les Affaires du Roy. Mr Froude cites "Advis pour M. de Villeroy," which is a different document.
[61] Spottiswoode, ii. 373.
[62] Papers of the Master of Gray, p. 133.
[63] Hatfield Calendar, iii. 230; Papers of the Master of Gray, p. 139.
[64] Privy Council Register, iv. 168.
[65] Courcelles, pp. 37, 38; Hatfield Calendar, iii. 192.
[66] Privy Council Register, iv. 140.
[67] Calderwood, iv. 606, 607; Spottiswoode, ii. 356; M'Crie, 'Life of Andrew Melville,' pp. 131, 132; i. 363-366 (1819). Dr M'Crie quotes Courcelles as saying that "even those who refused at first" (to pray for Mary) "yielded." Courcelles writes, "Some of the ministers agreed to pray, . . . but others there are that stand still fast, . . . but they are fain to yield as well as others." If they did, Dr M'Crie is right.

CHAPTER XIII.

THE KING OF MANY ENEMIES.

1587–1593.

THE news of Mary's death aroused in Scotland a futile storm of indignation. A Catholic informant of Cecil's, Ogilvie of Pourie (already mentioned as a spy and double-dealer), declared that James was "desperate of his mother's life" (probably the news of her death was unconfirmed); that the country was eager to arm; that the Hamiltons offered to burn Newcastle with 5000 men.[1]* Had James been a prince of heart and spirit he would long ere this have summoned his subjects to meet him, "boden in effeir of war"; would have slipped the Hamiltons on Newcastle; Bothwell and Buccleuch, with all Liddell, Esk, and Teviotdale, on Carlisle; would himself have mounted and ridden, while all the blue bonnets were over the border. Through Angus he might have kept the preachers in hand, or might have cast them into Blackness, and thus he might have risked a second Flodden, losing all but honour. Honour, on the other hand, was all that he lost. Calderwood says that he "could not conceal his inward joy," and that Maitland had to put the crowd of courtiers out of the room.[2] Courcelles gives a different account. James told him that he had done all that could be done, and had only received a note from Elizabeth with a promise to send Carey, who was at Berwick. James vowed that, if Mary were dead, he "would not accord with the price of his mother's blood." He denied the story that he had written

* This young Ogilvie of Pourie was in London with the Master of Gray, in the Embassy. He sold himself to Cecil, as Logan, also a Catholic, to Walsingham. Ogilvie's later intrigues, nominally for the Catholics and James with Rome and Spain, were more or less devices controlled by Cecil.

to Elizabeth, putting Mary's head at her disposal. It is certain, however, that letters from Scotland, and obscure dealings of Alexander Stewart, did enable Elizabeth to harden her heart; so the Master of Gray wrote to the king.[3] The Council turned towards France, where Archbishop Beaton was still to be ambassador for Scotland, to the horror of the preachers, who feared that Henri III. would insist on toleration, if he aided James to avenge Mary. On March 5 James still pretended not to believe in Mary's death, and awaited the return of his messenger to Carey, his old tutor, Mr Peter Young. Meanwhile he assured Courcelles that he wished to desert the English league for the Auld Alliance.

The envoy to Berwick brought back the certainty of what had befallen, and news that Elizabeth had put her unhappy scapegoat, Davison, in the Tower. She added what Mr Froude calls "an abject and ignominious"—we may say a lying and perjured—letter to James. Nobody was deceived. Archibald Douglas announced that George Douglas was to be sent on a mission to France: Courcelles declares that James now suspected and desired to arrest the Master of Gray, but by April 3 he deemed that James would work for peace. On March 4 Walsingham wrote to Maitland, to be shown to James, a long pacific memoir.[4] French and Spanish aid, he said, was "in the air": it always was. The strength of Scotland was utterly inadequate for the war. James, if he fought, would lose, perhaps his life, certainly all prospect of the English crown. The ambition of Philip, the condition of France under the League, made help from either Power out of the question.

The true nature of the chances of the Scottish Catholics from Spain or France may be gathered from the Spanish State Papers. The English priests, Allen and Parsons, were dependent on Spain, and on Philip, who was determined to advance his own claims to the English crown, James being barred as a hopeless heretic. Meanwhile Robert Bruce, the spy, was intriguing for Claude Hamilton, Huntly, and Morton (Maxwell) both with Guise and with Philip, and the Duke of Parma, commanding the Spanish forces in the Low Countries. Ready to take aid from any quarter, Philip did send 10,000 crowns by Bruce for the Catholic Earls, and Bruce arranged with Parma a feasible plot for bringing over Spanish troops in grain vessels. But it was the belief of Philip, and of most of his advisers, that James would remain a resolute heretic. The Spanish aid to the Scottish Catholics would only be the means towards a

Scottish diversion in case of a Spanish invasion of England. Bruce did see James himself, and found him in manner genial, but an obdurate Protestant, under Maitland, "a heretic and an atheist." Overcharged with expenses, Philip did not back the Catholic earls, time was wasted, the plot of the grain ships was delayed till too late in the season, and though Morton (Maxwell) went to Spain, offering to hold Kirkcudbright open for the Armada, though Huntly promised to secure Leith, though an advance on England by way of Scotland was probably the wisest plan, the Scottish Catholics were left, detached, poor, and powerless, while England was the aim of the Armada. Yet for many years, till 1603, the Scottish Catholics continued to traffic with Spain, and to hope for troops and money from Spain, while usually disbelieving that James would be converted. James, says Parma to Philip, "becomes more and more confirmed in his heresy" (1588).[5]

All this futility of Spanish promises Walsingham clearly discerned. He added that James might change his creed: he would but be the more distrusted. The world must acknowledge that James had done all that man might do—revenge was unchristian, true honour was not outraged, success was wholly impossible, if war was attempted.

All this was very true—nay, extremely obvious. But it did not follow that James need continue to take money from hands dipped in his mother's blood. Of money, however, from whatever quarter, James thought *non olet*. Meanwhile (March 1587) Elizabeth carried out the cruel farce of trying and ruining Davison, her scapegoat; and Cecil, in instructions to Carey, was obliged to sink to Elizabeth's level of meanness (April 3).[6] James had Elizabeth at an avail. If she was innocent, if Davison and others were guilty, then, he said, let them be given up to him. At present her honour was not cleared. Elizabeth was in the same position as Mary had been in the commissions at York and Westminster (1568) as to her guilt of Darnley's death. Like Mary, she finally said that, as a crowned queen, she was answerable only to God. Several drafts of her shifting replies exist; at last she screwed up her courage to be firm. Clearly she did not share Walsingham's assurance that James was powerless, and that France and Spain would not move. Yet nothing could be more manifest.

In Scotland matters were in suspense till the assembling of the Estates. Arran had been trying to fish in the troubled waters,

accusing, in a letter to Claude Hamilton, several of James's Council of accession to Mary's death, and of a design to hand him over to England. Among the accused we only know the name of Angus, who was arrested: he, at least, cannot have been of those who conspired against Mary's life. Orders were issued that Arran should be brought forward to justify his accusations.[7] The matter troubled James, who, in fact, was vainly trying to get Elizabeth to bribe him by the Lennox estates in England.[8] On May 10 Sir William Stewart, Arran's brother, accused the Master of Gray of his betrayal of Mary (concerning which we have already spoken) and of divers other offences. He had, it was alleged, taken a secret part in the Raid of Stirling (1585), which we know to be true from the Master's own description of that revolution. He had also dealt with France in the interest of "liberty of conscience," a charge the most damning that could be brought against any man in reformed Scotland. He had devised the death of Maitland, and other advisers of James, by aid of Arran and Morton. There were other charges. Gray and his denouncer had probably been in a conspiracy together to oust Maitland, and the lords who returned from exile at the Raid of Stirling, and it is likely that Gray had been dealing with the Hamiltons and the Catholics. He admitted that he had worked for liberty of conscience, and generally to revolutionary ends; while his answer as to the charge of betraying Mary has been already given. The Estates prayed that the king would spare the Master's life and lands. Gray was certainly betrayed by Stewart, who was to have gone as ambassador to France for the renewal of the alliance.[9] But Richard Douglas of Whittingham, nephew of Archibald and his intelligencer from Scotland, writes (May 22) a different story. Gray's attempt to obtain liberty of conscience by aid of France was really his principal offence, "suppose that he confessed somewhat also that, *before his last being in England*, he had written into that country against our sovereign's mother's life." James was being much urged to war with England, but, "so long as he may with honour, his majesty is willing to abstain."[10]

The Parliament opened on July 8 at Edinburgh, and was prorogued to July 23. The king's arrival at his majority was declared. The liberties of the Kirk were ratified. Death was decreed against Jesuits and seminary priests; in only one case, much later, was this threat fulfilled. Even hearers of mass, or distributors of Catholic books, were menaced with entire confiscation. The temporalities

of benefices were annexed to the Crown, with certain reserves of vested interests. This meant the downfall of bishops, their exclusion from Parliament. Six members of each Estate were formed into a commission to deal with the necessary taxation for the king's marriage. There was the usual revocation of grants made during the royal minority. Quarrelling for precedence of vote or place in Parliament was denounced, and a commission was appointed to consider claims. The minor barons, to be elected by forty-shilling freeholders, were called to Parliament, as under the law of James I. Persons accused of treason were permitted to employ counsel.[11] As a matter of fact, in such trials the accused could only hope for acquittal when their friends were in power, as at the trial of Archibald Douglas, or of Bothwell for witchcraft. Game laws were re-enacted, and measures, often vainly renewed, were taken to diminish the number of fraudulent notaries. For five years no new notaries were to be admitted; in future they must know Latin "reasonably," must have served seven years with Writers to the Signet or other responsible lawyers, and, generally, were to be under inspection. Forgery was a rampant crime, of which we shall see a notable instance later. Theft by landed men (as when Logan of Restalrig committed burglary in the house of Nesbit of Newton) and murder under trust were declared to be treason. Interest on money was limited to ten per cent yearly. With fiscal and others of the usual good resolutions (Acts of Parliament were little more) appeared one in favour of "universal concord." Other good resolutions were concerned, to no avail, with maintenance of law and order in the Highlands and Borders.[12]

The Parliament ended, though nothing is said about it in the official record, with a dramatic scene in which the lords besought James to lead them against England. This is reported by Courcelles and others,[13] and is doubtless true. James thanked his kneeling Estates, but said that he must wait his opportunity. Another dramatic scene, with elements of the grotesque, was the public reconciliation and banquet of all the lords in Edinburgh, so admirably described by James in 'The Fortunes of Nigel.' An order for the expulsion of the Jesuits was made, and the Protestants were pleased, while Philip was not sorry. James, his rival, was now too manifestly a hopeless heretic. Archibald Douglas was kept as ambassador to England (on a semi-official unrecognised footing), and his favour varied with James's hopes or fears as to his success

in obtaining for the king a written acknowledgment of his right to the English crown, with a gift of lands in the north of England. James was now very Protestant, since Philip of Spain was intent on securing the rights bequeathed to him by Mary, and as, despite Morton's (Maxwell's) intrigues in Spain, whither he had sailed, there was clearly no chance of disinterested help, thence or from France. The Scottish ambassadors had gone to Denmark; but du Bartas, the poet and scholar, arrived in Scotland, was feasted by the king, was present at his friendly controversy with Andrew Melville in St Andrews, and was thought to be proposing for James the hand of the Princess of Navarre.

The summer was marked by Border raids into England. These were caused, according to the letters of Richard Douglas, Archibald's nephew, not by revenge for Queen Mary, but by "plain necessity"; the Liddesdale men would not starve while there were beeves in Cumberland. Thus, though the Scottish Catholic lords were as usual intriguing abroad, James remained true to his interests in England.

The "Premier," in modern language, was now Lethington's brother and successor as Secretary, Sir John Maitland of Thirlstane, "the Chancellor." He held the office, with interruptions, till 1595. He had the family wit and the family craft, and was devoid of scruples based on sentiment — devoid, in fact, of any scruples (he had represented Lethington at the scene of Darnley's murder); but he was a fairly good Protestant, and adhered to the English alliance. James, like his predecessors, was much vexed by feuds: on a large scale in the Border and the Highlands, while in St Andrews, Edinburgh, and other towns, quiet citizens were apt to be attacked by armed men—a professor on his way to lecture, a Writer to the Signet on his way to kirk.

As an illustration of daily life we may take the case of Habakkuk Bisset, W.S. This gentleman is said to have received his Christian, or rather Hebrew, name in a singular way. His father was Queen Mary's caterer, and requested her to name the child. She was just going to chapel, and chose the first name at which the Bible opened. It was Habakkuk. Arrived at years of discretion, Habakkuk had the misfortune to be engaged as agent for the brother of the laird of Cockpen against two young Hamiltons of Prestoun. They conceived that *ce coquin d'Habakkuk est capable de tout*, and vowed revenge. One afternoon they found poor Habakkuk "going in

peaceable and quiet manner" to evening prayers, for Scottish kirks in that age were still open "on lawful days," a relic of idolatry which has been abolished. The young wretches set on Habakkuk in church, like a new St Thomas of Canterbury; they broke his head with the pommels of their swords, they chased him out by the west porch, and they cut off two fingers of his left hand. The two Hamiltons were denounced as rebels.[14]

Such were the accidents of everyday life in an age when the Town attacked St Mary's College at St Andrews, and the Gown, under Andrew Melville, defended the position with gallantry and success. "Spuilzies," or high-handed robberies, were frequent, so were cattle-houghings; and skirmishes with loss of life, and a blood-feud to follow, were not uncommon. As to the political situation of the country, we have a careful memoir drawn up by Archibald Douglas (November 14, 1587). The situation showed "a prince grieved in mind, and a number of nobility almost equally divided anent their religion into Protestant and Papist, with a number of indifferent religion." The Indifferents had joined the Catholics to urge revenge for Mary's death, and alliance with Spain or France, their demand being religious toleration. The king was trimming between these factions. But few nobles were Protestants: the Kirk relied on "the meanest sort of gentlemen, called lairds, whose second sons and brethren are for the most part merchants and travellers by sea," while all the burgesses were Protestant. The Protestant nobles were calm, believing that James would never change his religion. The lairds and tradesmen were galled by "the infinite number of piracies" committed by the English, of which the State Papers contain countless records. Piracy was a flourishing English profession at this time, Drake being the most notorious of the sea-thieves who preyed on the commerce of the world. All Anstruther set forth after an English pirate, ran him to shore in Suffolk, took his ship and six prisoners, and hanged two at Anstruther, four at St Andrews. Douglas adds that, as there are rumours of landings of aliens (probably in Galloway, whither Morton had returned from Spain), England could expect but cold support from his injured countrymen.

Archibald's motive, of course, was to alarm Elizabeth, and induce her, at least privately, to acknowledge James as her successor; or promise, at least, not to prejudice his case, nor to give Arabella Stuart in marriage without his consent. She ought also to make

amends for the piracies of her subjects.[15] James was discontented with Elizabeth's answer to this appeal, and refused her proffer of £4000 for his assistance. He had less reason to dread rebellion than Elizabeth had, he said, and was on friendly terms with all foreign princes except herself. The nobles had no grudge against him, except for his slackness in avenging his mother. Hunsdon at Berwick was working for amity, but as he distrusted Archibald Douglas, the two were likely to interfere with each other, so Richard Douglas reported (December 27, 1587).[16]

The opening of the year 1588 found Scotland troubled by the expected advent of the Invincible Armada. The Kirk (February 6, 1588) held a special Assembly, denouncing Huntly, Herries, and others, with a number of Jesuits. James had amused himself in the winter by writing a commentary on the Apocalypse, "and in setting out of sermons thereupon against the Papists and Spaniards."[17] Throughout February and March Huntly, Herries, Glencairn, and others were now obscurely and timidly conspiring with Parma and Philip, through Colonel Sempill, whose life is a romance, now urging James to dismiss Maitland and others of his advisers. Herries raided and spoiled the lands of Drumlanrig and of Douglas, Provost of Lincluden.[18] Hunsdon denounced Archibald Douglas as no ambassador; he had been discharged—and Hunsdon had seen the documents under James's hand—ever since the Master of Gray was in London. "If he come into Scotland, the king will take his life." Yet Richard Douglas had always been dealing with Archibald for James, as if the "old fox" were duly commissioned, and Archibald had constantly negotiated with Cecil, and, in personal interviews, with Elizabeth. James had apparently made arrangements for disavowing and betraying the traitor, if that course proved convenient.[19] The vast preparations for Philip's invasion were going forward, and the question was, Which party would James espouse? In spite of Hunsdon's allegations, he was writing with his own hand to Archibald Douglas, and, according to Richard Douglas, would take the English side (April 28).[20] On May 7 James ordered the country to arm, but the cautious terms of this proclamation show that he committed himself to no more than armed neutrality.[21]

At this juncture Huntly, in the Catholic interest, was bidding for Archibald Douglas; he "sought you so earnestly, and offered me so fair," says Richard Douglas, who was to manage the sale. But Huntly's heart failed him, and whatever plot he meant to concoct

with Archibald fell to the ground. Richard Douglas returned from his secret journey to Huntly, and, after an interview with James, gave Archibald some cause to feel more secure. "He would be served by you, . . . seeing you knew sufficiently the end whereat he shot," the crown of England (May 26).[22] At this time James attacked Morton (Maxwell), the most dangerous of the southern Catholics, the man who might have opened the south-western ports to Spain. Morton, newly home from Spain and France, showed his hand too soon: his allies, Huntly, Herries, and Claude Hamilton, left him to take his chance. The king took Lochmaben Castle, hanged some of the garrison, and captured Morton himself.[23] Angus, the faithful of the Kirk, was made Warden on the west Marches,—clearly James was decided on the Protestant side,—and Sir William Stewart, Arran's brother and the denouncer of the Master, was in high renown. Within a few weeks both of those men were dead. On July 10 Stewart and Bothwell gave each other the lie, in James's presence. Stewart added an insult common among street-boys of the lewder sort. On the 30th of July the enemies met in the High Street. Stewart stabbed one of Bothwell's men, lost his sword, and fled. Bothwell followed and wounded him with his rapier. "Sir William fleeth to a hollow cellar, where they stabbed him with whingers while he was despatched."

So perished one brother-in-law of John Knox, a man daring and perfidious. The death of Angus was believed to have been caused by witchcraft. Pious to the last, he refused all help by counter-witchcraft, an interesting experiment still practised in rural England. The witches used the old scheme, an image of wax melted before a fire, or, at least, this was rumoured.[24] This is the version of Calderwood, but a very different story was later told by Bothwell. That adventurer, himself under a charge of treasonable sorcery, confessed that he had, indeed, dealt with a wizard, Richard Graham, but solely in the interests of Angus. It was Lady Angus who besought Bothwell to bring the wizard to heal her bewitched husband: Bothwell had no other dealings with the servant of Satan. This ingenious defence, whereby the pious Angus shielded Bothwell's character, was apparently the invention of John Colville.[25]

Angus the Presbyterian was succeeded by Douglas of Glenbervie, who, dying soon, was followed by his son, a Catholic. The Maxwell Earl of Morton lost that title, which fell to the betrayer of Northumberland, Douglas of Lochleven. The evidences of James's

Protestant spirit, especially his action against Morton, who might have opened the ports of the Stewartry to Spain, encouraged Elizabeth. She sent Ashby to Holyrood with golden promises. He found James at his devotion, and his letter was written (August 6) during the agony of the Armada. Presbyterian Scotland had been greatly alarmed.

"Terrible was the fear, piercing were the preachings, earnest, zealous, and fervent were the prayers, sounding were the sighs and sobs, and abounding were the tears" of the Brethren; so James Melville writes. The end was the arrival of a battered ship and a starving crew of Spaniards on the Anstruther beach. James Melville told the captain that, though enemies of the Pope, yet the Scots were men, and moved by human compassion. So kail, porridge, fish, and trenchant remarks on popish errors were supplied to the hungry mariners, one of whom was Gomez de Medina, a gentleman not ungrateful.[26] The coasts of the isles of the west were strewn with wrecks of "that great fleet invincible"; the danger was past and over, whether of a Spanish landing in the Stewartry or of a Catholic rising. James had taken his part "against all foreign enemies of this island," and was thought, "by not the unwisest, too sudden to declare himself before being assured of that he craved"; so Richard Douglas wrote (August 5). Elizabeth, in her alarm, had offered that, on assurance under the Great Seal, Mary's death should not prejudice James's claims: he was also to have a duchy in England, a pension, £5000 in ready money, and a guard of fifty gentlemen. But in a week, the peril from Spain being ended, "it seems they would go back from these offers."[27]

James, in fact, as the Master of Gray said, "got but fiddler's wages," like all who trusted the falsest and meanest of women. He was furious, he was enraged against Archibald Douglas; the Catholic lords grew stronger, they intrigued with Spain, they expected the king to combine with them, and Richard Douglas proposed that Archibald should come to terms with Huntly. The death of Leicester, with whom James was friendly, complicated affairs, and James proceeded to pay court to Walsingham. In November Elizabeth sent Thomas Fowler to deal with James. He found matters going ill; the Spanish faction was in credit, the king (Ashton reported, December 13) was running to his own destruction, the murder of the Duc de Guise was apt to cause Philip of Spain to come to terms with Scotland.[28] Huntly had dallied with the Kirk (partly that he might be allowed

to wed the sister of Lennox); but he was not long to continue, even in a shadowy way, a Presbyterian. The preachers held a thanksgiving for the murder of Guise; for both religions impartially rejoiced in the judicious use of the dagger (December 30).[29] James Melville revels in "a maist remarkable work of God's justice, making King Hendrie to cause his Guard stick the Duc de Guise under trust, . . . and syne a Jacobin friar maist treasonably to stick the king. . . Thus God glorified His name most remarkably." The Deity, it is to be understood, conducted political enterprises after the fashion of Philip of Spain, Elizabeth, or any other contemporary prince.

The Kirk throughout all this period was in a nervous condition, and the preachers were usually very well informed, doubtless through the English embassy. In January 1589 "the most vigilant ministers" convened in Edinburgh, and warned the king of his danger from Papists. He was begged not to interfere between the Kirk and the Catholics whom it might be molesting: Jesuits ought to be hunted for; some of the ministers and the laity ought to be given an inquisitorial commission to explore what nobles and others "profess religion." James's own sincerity in the truth being doubted, he is asked to expel all officials who may be suspected of Catholic tendencies. These petitions were granted.[30]

In February it appeared that the preachers were no "drytting prophets" (as Lethington said of Knox); there was really a Catholic plot. Cecil had laid hands on one Pringle, agent of Colonel Sempill, and seized letters from Huntly and Errol to the Duke of Parma and the King of Spain. Huntly and Errol were with James when the letters were handed to him. This Pringle had been examined in England on February 15: he was a soldier of fortune who had served on both sides in the Low Countries. He had dealt for Robert Bruce (Huntly's agent with Philip, a singularly perfidious double spy and trafficker) with Huntly, Bothwell, Crawford, and Lord Claude. With the letters Elizabeth sent a note of remonstrance. James, she said, seemed to hold such traitors "dear and near, with a parentage of near alliance," referring to Huntly's recent marriage with a sister of the young Duke of Lennox. "Good Lord, methinks I do dream; no king a week could bear this!" The letter by Huntly was of January 24; James received it on February 27. Huntly in his epistle regretted that the Armada had not touched at Scotland, where it would have found countless allies. He gave advice for a better conducted enterprise. He lamented his recent

verbal adherence to the Kirk. Bruce in his letter frankly confessed that what the Catholic lords wanted was gold "for some pretended occasions which will never fall out as they promise." Huntly had tried to get at the money, but Bruce had defeated him. Bruce's character was execrable, but his inferences as to Huntly were probably judicious. All this was pleasant hearing for Huntly, if he was present, as Calderwood says, when the letters were given to James; and it must have been agreeable to Maxwell to hear it averred that a Jesuit secured his release from prison. Errol had to listen to the tale of his conversion by Father Edmund Hay; Crawford to the narrative of his theological debts to Father Creighton. It seems hardly credible that their own letters were rehearsed before any of these peccant noblemen; if they were, the scene must have been of the highest comedy. As a matter of fact, Bruce was right in saying that what the Catholic noblemen of Scotland wanted, in the first place, was doubloons, pistoles, and pieces of eight. All parties were pensioners: James and the Protestant lords and lairds, of England; the opposite faction, of Spain or France.

Huntly was now warded in the castle, where James and Maitland dined with him next day. He was presently released, riding off at the head of 200 Gordons, and Claude Hamilton was imprisoned. By March 14 Huntly was inviting James to dinner, Errol was with them; but as a rising of the town was feared, Huntly rode north: he is said to have asked James to accompany him.[31] James had one of his tender fondnesses for Huntly; he also suspected that the letters attributed to him and other Catholics had been forged in England. Ashby and Fowler now reported James's condition as one of melancholy. His life was made a torment by the intrigues and feuds of his nobles. To Huntly he was sincerely attached: Bothwell he considered, so he had told Courcelles, as a feather-head; but Bothwell had a native love of mischief, and was powerful in the disorderly region of Liddesdale, and among the Humes, Douglases, and Logans of Berwickshire and East Lothian. He was also dear to all ladies. Errol regarded Maitland, the Chancellor, as his private enemy. Writing to Mr Bruce (the eminent preacher, not the intriguer with whom he has been confused), Errol professed that Maitland had accused him "behind his back." He was ready "to be tried by the Kirk's self" (March 22, 1589).[32] But Fowler reported Errol as not likely to surrender (March 20), and James as "weary of life."[33] He was still making excuses for Huntly; and Bothwell,

like Errol, was at feud with Maitland. In fact, to get rid of that powerful minister, not a man of their own rank, but indispensable to the State, was the motive that united Protestants like Bothwell (if he was a Protestant) and Catholics like Huntly. The old story of Lauder Bridge and the hanging of the low-born advisers of James III. was ever the ideal of the nobles: not that Maitland was low-born, his house was old and good, but he was not of the greatest *noblesse*, and he had intellect, which was intolerable.

Errol was "put to the horn"—denounced outlaw—the day after he wrote to Bruce. These plots of the nobles recur in a stereotyped and tedious fashion. A rebellion for the actual deposition of the king was practically impossible. It was said of James that he was like a monkey. "If I have Jocko in my hands, I can make him bite you; if you have Jocko, you can make him bite me." The constant purpose of malcontents, therefore, was to get James into their hands, and out of those of whoever held him, Morton, Gowrie, Arran, or in this case Maitland. At present the idea was that Bothwell, probably with Montrose, should seize the king and "discourt" or slay Maitland, while Huntly and Errol should descend from the North with the Gordons and the Hays. James was at Halton, where the capture should have been made. He got news of the scheme and rode to Edinburgh, whence (April 7) he summoned his loyal subjects of Fife and the South to repair to him, "boden" with hackbuts and spears. On the 10th of April a summons was issued against the armed and banded malcontents; they must surrender their fortalices. There were several Kers, Lindsay of Halton (where James had been in peril), Bothwell, Crawford, Montrose, Fintry (an active Catholic dealer with France), Errol, Gardyne of Gardyne, many Gordons, including Gordon of Gight, and a score of Lindsays.[34] The confederates, therefore, were of the lawless Border, and of Perthshire, Aberdeenshire, and the county of Angus.

The Earl of Angus[35] and Lord Hamilton commanded the royal forces under James. The confederates captured the Master of Glamis in his house: James moved out from Linlithgow with his levies on April 11. The rebels were assembled at Perth, whence they retreated by Dundee and Brechin. Now James showed a spark of his mother's spirit when she drove Murray from hold to hold into England. Many men deserted the royal banner, but he pushed on, and with a force reckoned only at 1000 met Huntly with

3000 at Brig o' Dee. Errol would have fought, but Huntly's men dispersed: they had been told that Huntly possessed a royal commission, but, seeing James in arms against him, their hearts failed them. Defeat meant forfeiture. James reached Aberdeen on April 20. "Bands" were taken from many of the northern chiefs and barons for the defence of the king and the religion. Forbeses, Rosses, Grants, Gordons, Mackintoshes, Hays, Dunbars, and Mackenzies were obliged to sign with Cheynes and Keiths. Huntly and Crawford were taken and warded in courteous durance: Bothwell was handed to the captain of the Guard.[36]

It is probable that the tradition about James's personal timidity is greatly exaggerated. He is said to have been unable to look on a drawn sword. In this rebellion he led his men where he was likely to see plenty of cold steel. Spottiswoode declares that on the eve of expected battle he addressed his little force with grace—"I desire you to stand no longer than ye see me stand": Colville gives a similar report to Ashby, as does Fowler (April 18, April 23), and it is clear that James had shaken off his irresolute melancholy and played his part very well.

The worst of these successes was that they could be turned to no real advantage. Despite the feuds and jealousies of the nobles, they were all at one on a single point, their own right to commit high treason with practical impunity. The victors knew that in a month, by a turn of the wheel, they might be the vanquished. They all keenly objected to forfeitures and capital punishments. James V. had done his best against the Douglases, to what end? Merely to give England the most powerful, dangerous, and perfidious of allies. By betraying Scotland to the disaster of Solway Moss, Sir George Douglas practically slew James V. The house flourished again under Morton, that scourge of the Crown. Morton was overthrown, but his blood-feud raised up the Presbyterian Angus to capture and dominate James, and to procure the fall of Arran. Murray and Mary had once before overthrown and ruined the House of Huntly: in three or four years the Gordons were as powerful as ever, and the Huntly of the Brig o' Dee remained a thorn in the side of the State long after his head and shoulders would have parted company had he been a subject of Elizabeth. But no sooner was he captured than James's war leader, Lord Hamilton, Huntly's kinsman, was found to be opposed to his execution.[37] Besides, James was personally attached to Huntly, and yet again, in a country where

the pretensions of the preachers were really the most threatening danger to the Crown, Huntly, a Catholic, could be relied on against the preachers. The maintenance by James of a perilous equilibrium between Protestant theocrats and greedy Catholic nobles, and the feudal and personal jealousies of the lords indifferent in religion, at home; and between Elizabeth and the Catholic Powers abroad, make up all this chapter of our history. Original kinds of events are few, but occurrences follow each other rapidly on to the boards, round behind the scenes, and on again, like a stage army. Huntly and the other rebels were to have their exits and their entrances for many a year after 1589.

The criminals were examined on May 24.[38] Huntly's examination was a little garden-party: the prisoner, James, and four or five of the Council met in the pleasance behind the council house. He "came in the king's will": was warded in Borthwick Castle; Bothwell, under Angus, at Tantallon; Crawford at St Andrews. They were all soon at liberty again.[39] "The ministers cry for justice," Fowler reports; but if every head that the ministers asked for had fallen, Scotland would have been a shambles. By May 27 the Master of Gray was at Berwick on his homeward course: "so it was seen that his banishment was only for the fashion," says Calderwood. He appears to have been restored by means of Maitland, the Chancellor, and is at once (June 4) found sending intelligence to Cecil, for whom, and for Rome, he continued to play the double spy. The rebels, it seems, had practically been induced to surrender by promises of lenient usage, guaranteed by Hamilton, Angus, Mar, Morton, Home, the Earl Marischal, and the Master of Glamis.[40] Gray had reconciled himself in England with Cecil, and one part of his business was to aid Fowler in preventing James from wedding the daughter of Denmark, the Princess Anne.

It was the nature of Elizabeth to interfere against all marriages: her pretext now was her desire that James should marry the Princess of Navarre. But he had heard that she was old and crooked, and much preferred a young lady of fifteen, recommended by his old tutor, Peter Young, lately his ambassador to Denmark. Elizabeth had sent to James some money during his recent troubles, and he humorously employed it to fit out, in opposition to the wishes of the English queen, the Earl Marischal, a man of taste and learning, on his mission to ask for "the sea-king's daughter

from over the sea." The lady had been bred a Lutheran, and no one could guess that she would return to the old faith, as she did.[41] Gray's own credit at Court was now slight: he sighed for his old abbacy (lay) of Dunfermline, to which, whichever creed he professed, he was devoutly attached.

The Earl Marischal did sail for Denmark (June 18), and the proxy marriage with Anne was celebrated on August 20. Meanwhile, as the star of Gray rose again, that of Archibald Douglas set. He laments "a disposition to pick quarrels with him," and, apart from his own unamiable qualities, he probably had taken part with England against the Danish marriage. James neglected him; he begged from Elizabeth. Maitland also opposed the Danish wedding, but James was determined to marry to please himself. He therefore showed more and more favour to possible supporters, the recent rebels. Errol made his submission in August: on August 12 the rest were set at liberty. This amnesty was in honour of the Royal bride; but the September storms drove her little fleet hither and thither: her own vessel was missing for three days in the Northern Sea: she had to return home, and on October 22 James placed his royal person at adventure and boldly sailed to join his bride in Denmark. He took Maitland with him; for many reasons it was not safe to leave Maitland at home. During the king's long absence the country was quietly governed by nobles—Hamilton, Angus, Lennox, and Bothwell—while Robert Bruce represented the preachers. All, being trusted, were wonderfully on their good behaviour, whereas had Maitland stayed at home his throat would certainly have been cut. There were, indeed, germs of feuds in the North, later to blossom into clan warfare,—the hatred between Huntly and "the bonny Earl Moray,"—and Bothwell's relations with Elizabeth suggest that she regarded him as a card which might be serviceable some day in her hand. But James's absence from October to April caused no disturbances, perhaps rather prevented them.

For some reason the king in this year showed amazing energy in the fields of Mars and Venus. Fontaine had found him a laggard in love, and in all courtly graces a grobian. He despised dandies, and especially detested ear-rings, which his unhappy son wore even on the scaffold at Whitehall. The youth of James had been continent; alone of the Stewarts he left, as far as our knowledge goes, no scions of amorous adventure. Modern historians accuse him of "precocity in vice." Where are the proofs?—even calumny, up to

this date, puts in but one filthy word in a scandalous lampoon. We hear of no young ladies about his Court, and his coldness caused anxiety among his subjects. Grotesque always, James on leaving Scotland set forth such an address to the country as only he could frame.[42] He would have men to know that he was not "a barren stock." He had formed at Craigmillar, all alone, his resolution to set sail, and had put aside the objections of the Chancellor, and indeed he had kept his own counsel as to voyaging personally till all preparations were made. He firmly objected to being written down "an irresolute ass." He describes his amusements in Denmark as "drinking and driving ower," but he also conversed with the learned. It is not known that he obtained any evidence as to the disputed testament of Bothwell, declaring the innocence of Queen Mary. He returned and was received at Leith on May 20, 1590, with all the tedious forms of pageantry usual at the period.

The preachers, true to themselves, objected to the anointment of the queen at her coronation as a Jewish ceremony, or if not Jewish, then popish. James threatened to call in a bishop. Anything was better than a bishop, so Mr Robert Bruce did the anointing.[43]

The Kirk at this time was in a highly sensitive condition. Dr Bancroft in England had preached against the Puritans (February 9, 1588), and his tone had been unworthy of a Christian and a gentleman. He rather appeared to imitate on the Episcopal side the style of Knox's denunciations of "bloudie bischops," and Knox is a bad model. What Bancroft said of the Scottish preachers (as summarised by Dr M'Crie) was that they "took it upon them to alter the laws of the land without the consent of the king and Estates, threatened them with excommunication, filled the pulpits with seditious and treasonable doctrine, utterly disclaimed the king's authority, trod upon his sceptre, laboured to establish an ecclesiastical tyranny of an infinite jurisdiction, such as neither the law of God nor man could tolerate," and so forth. Bancroft would appear to have been "intoxicated by the exuberance of his own verbosity," but it is not difficult to understand his drift; and if the preachers did not aim at "infinite jurisdiction," what did they aim at?

In reply Davidson, the poet and preacher, wrote a letter to Elizabeth, but it was not despatched. Complaint was made of a tract of Archbishop Adamson's in which he gave his views about Presbyterian eloquence. The General Assembly ordered prayers for "the afflicted brethren in England," the Puritans. Mr James

Melville, in place of being warned by the bad example of Bancroft, denounced before the General Assembly "these Amaziahs, the belly-god bishops in England, by all means and money seeking conformity of our Kirk with theirs, as did Achaz and Uriah with the altar at Damascus." [44] These excesses, as regards a "neighbour Kirk," we must regret and condemn. Melville implored the Brethren to ratify the old Fife excommunication against Archbishop Adamson. It would do Adamson so much good, he said, "if he be of the number of the elect," which, as a "vennemous enemie of Christ's kingdome," Adamson probably was not. If, on the other hand, he *was* of the elect, it does not seem that excommunication could harm a person in that desirable position. Mr Melville's advice was "approved by all," and yet there seems to be a want of sweet reasonableness in his method. One thing was clear, the long war of Scottish Presbyterians and English Puritans against the "belly-god bishops" had begun, and the English Puritans and Scottish Presbyterians were in alliance. Bancroft preluded to Laud, Melville to Cargill and Cameron, Blair and Rutherford. The Reformation brought not peace but a sword that was to rage through the next century. These beginnings of trouble, these violences of parson and presbyter, these furies of the rival pulpiteers, are more important than the feuds and follies of the noblesse. In the excitement about forms of religious discipline nobody seems to have bethought him that the religion was that of Christ, or to have remembered the spirit of the Master.

The Scottish preachers continued to pray for their afflicted brethren, the imprisoned Puritans in England. They had been unwilling to seem to hint a censure of Elizabeth when the axe was sharpened for Queen Mary, but when the Puritan brethren were touched they knew no such reluctance. Elizabeth on July 6 wrote James a stringent letter on the subject. "There has arisen, both in your realm and mine, a sect of perilous consequence, such as would have no kings but a presbytery; and take our place, while they enjoy our privilege, with a shade of God's Word, which none is judged to follow right, without by their censure they be so deemed." This means that the preachers desired the State to be ruled by God's Word, of which they were the infallible interpreters.

Here really was the storm-centre of the situation. The preachers might be, and indeed were, much better men morally than the statesmen, and were free from personal self-seeking. But their

claim to infallibility (a claim implied, if not explicitly uttered), their appeal to inspiration, in "the preaching place," meant nothing less than that the State was to be governed by the pulpit. No pretensions could be more dangerous; and kings were really engaged for a century in a contest for human freedom, freedom from the political interference of inspired and irresponsible pulpit orators. The royal methods alienate our sympathies; their actual aim is lost sight of in our disgust with their measures—imprisonment, exile, dragoonings, and the imposition of Episcopacy upon a nation which detested "the horns of the mitre." But in these rude and unseemly ways the warfare was waged till, after the Revolution of 1688, the power of "new presbyter" was broken, as the power of "old priest" had already been overthrown.

James, as a victor in the bloodless war of Brig o' Dee, and as a married man, began to take himself seriously. He had a project for establishing peace and unity among Protestant Powers: he even sent two ambassadors through Germany. He would expel Jesuits, reconcile feuds, and make the royal presence more sacred and less easy of access. By the last idea he managed to offend Lord Hamilton: the other schemes of reform remained unfulfilled, like all the Acts of similar tendency which crowd our records. The confederates of the Brig o' Dee continued to intrigue at home and abroad. A feud broke out between Huntly and "the bonny Earl Moray," which had fatal consequences. The Earl did not inherit by direct descent the old Moray-Huntly blood-feud of 1562. He was a Stewart who had married the daughter of the Regent Murray, and his neighbourhood to Huntly would have provoked a quarrel in any case, a quarrel involving Gordons, Campbells, Forbeses, Stewarts, and the adjacent Celtic-speaking clans. The causes and complexities of the feud must be explained later.

James also busied himself much in examining and persecuting witches and warlocks who had raised inconvenient storms, or intrigued to ascertain his future, or to slay by art magic himself (as Bothwell was accused of trying to do) and his Ministers. The usual plan was that of "sympathetic magic"; an image of the victim, in clay or wax, was melted in water or fire. The idea is familiar to most savages, and was current in ancient Greece. It is possible enough that when the victims knew that the rite was being performed they fell ill by dint of "suggestion" or "imagination." Montaigne at this time was giving proofs of the power

of "suggestion" upon the fancy, and so upon the body. Reginald Scot had recently published his large and entertaining work on the folly of current beliefs, 'The Discovery of Witchcraft.' In Scotland not much is heard of punishment for witchcraft before the Reformation, when Knox, the preachers, and the Regent Murray conceived it to be their duty to denounce and burn witches.* There can be little doubt that many witches were in intention malevolent enough. They believed in their own powers, and probably dealt in poison on occasion, very clumsily, as in Bothwell's attempt on the king. At the least, their pretensions inspired terror and the physical maladies which terror can cause. But James's action, his earnest pedantic curiosity, and the unspeakable tortures which he caused to be inflicted, strengthened in this unhappy matter the hands of the preachers, and reinforced a superstition which Reginald Scot and others attempted to laugh away. For more than a hundred years the poorest and most pitiable of mankind, destitute old women, were at the mercy of every prying preacher, every hysterical child, every unfriendly neighbour. In the next century we have a melancholy narrative by a minister. A woman was accused, the parishioners were violently inflamed against her, the laird was anxious to save her. The examinations by the minister yielded no grounds of suspicion, but not to condemn her was to offend the populace, alternately the tyrants and slaves of the preachers. Happily the minister, after leaving her in her cell, returned and listened at the door. His eavesdropping was rewarded. He heard the old woman mumbling to herself, and he could nearly swear that he heard another voice replying. That voice must be the devil's. So the woman was burned, and the minister retained his popularity. The disturbances, noises, knockings, movements of objects, which are still common enough in newspaper reports, were always associated with a hysterical boy or girl who used to "see" the witch.

Possibly the child had been alarmed by the witch, and herself caused the unexplained disturbances. But the so-called "spectral evidence" was good enough: the witch was arrested and tortured. She implicated others: she told fables of the *Sabbat*, the league with Satan, and other fragments of folk-lore, tales about Fairyland, mortals enchanted there, and the fairy queen. The parish fell

* This is insisted on in the record of the Regent's Parliament of December 1567 (Act. Parl. Scot., iii. 44).

under a reign of terror: even matrons of noble family were not safe. The cruel absurdity raged in England as in Scotland, under Episcopacy as under Presbyterianism. Much of the fault lies at the door of James, who could not, indeed, have controlled the preachers, but who went out of his way to encourage beliefs that ensanguine the courts of African kings and the camps of wandering Australian tribes.[45] Bothwell was most unfortunately involved in alleged dealings with witches, and was actually imprisoned in April 1591, though some thought that the preachers had him incarcerated for a flirtation with one of the daughters of the late Earl of Gowrie. He was confronted with Graham the wizard, who confessed to a scheme for poisoning the king in a magical manner. A fast was held on this important occasion.[46] Bothwell broke prison and betook himself to his Border fastness (June 21). He was not taken: he now was, and remained, a wandering torment and a probable source of revolution.[47] He had carried off a witness from the Tolbooth in January while the king was in session there, and only a few days before his majesty is said to have fled and hidden in a skinner's shop during a street brawl between Lennox and the "wanton laird of Logie."

While he was accused of favouring Jesuits, and of suppressing a book written by John Davidson against Bancroft's celebrated sermon, he was also assuring the General Assembly that the Kirk was the purest of Kirks. "The Kirk of Geneva keepeth Pasche and Yule" (Easter and Christmas), "what have they for them? They have no institution. As for our neighbour Kirk in England, it is an evil-said mass in English, wanting nothing but the liftings" (Elevation of the Host).[48] From this opinion James was to advance very far. The Assembly was greatly delighted by James's adherence to the Kirk.

In April 1591 shame fell upon the unhappy Archbishop of St Andrews. The preachers gave James no rest about the most hated of their enemies. We mainly know Adamson from his mortal foes, who added witchcraft to the charges which they heaped upon him. Though a scholar, he appears to have been a time-server. We have no reason to suppose that he was the martyr of an earnest belief in the order of bishops, or apostolic succession, but rather the kind of man out of whom tulchans were made. He had served his king rather than his Kirk, and his king found it at this time convenient to desert him. Maitland was hostile to him, and that proved fatal.

He was reduced to lying in the Castle of St Andrews "like a fox in a hole," and is accused of inducing Henry Hamilton, M.A., to attack Professor Welwood on his way to a lecture in St Mary's. The rector deprived Hamilton of his master's degree, the judges "gave out compulsitors to" the rector's decision; Hamilton was presented with the freedom of the city. Professor Welwood was going to lecture, a book in one hand and an hour-glass in the other, when Hamilton attacked him with his sword. Town and Gown flew to arms, Adamson's brother-in-law was slain in a duel at rapier and dagger: in the end the town secured the exile of two of the Welwood faction. All this went down to the discredit of the Archbishop.[49] In 1591 he offered a general recantation of his offences. He had subjected the Kirk men to the king's ordinances, and (*proh pudor!*) had taught that presbyteries were "a foolish invention," though really they are "an ordinance of Christ." He had intrigued with bishops of the Church of England. Divers other offences he had committed, he was dying in poverty, and, crowning humiliation, he owed his daily bread to his old enemy, Andrew Melville.

The central question between James and the preachers was that of jurisdiction. James told them that he thought he "had sovereign judgment on all things within this realm." The reply, by Mr Robert Pont, was typical. "There is a judgment above yours, and that is God's, *put in the hand of the ministers;* for we shall judge the angels, saith the apostle." The king replied that the judgment in the text "pertained to every shoemaker and tailor, as well as to the Kirk." Mr Pont answered, "Christ sayeth, 'Ye shall sit upon twelve thrones and judge,' which is chiefly referred to the apostles" (indeed, given only twelve thrones, there were no seats for more), "*and consequently to ministers.*" There is the claim, frankly stated, and supported by what reasoning! "A sect of perilous consequence, such as would have no kings but a presbytery"! The preachers, how selected we have seen, pretend, in fact, to apostolical succession without using that phrase, and claim for themselves on earth the privileges of the apostles in heaven.

Thus there was civil and ecclesiastical anarchy. The preachers besought James to reinforce law and order, but James was helpless. As he said, jurisdictions were often inherited, and the officers regarded only their private and family interests. He could not

take Bothwell, though Bothwell aimed at his life. Bothwell was here and there, always in mischief. On December 27, 1591, he and his retainers broke into Holyrood, he tried to burn down the door of the king's chamber, and beat with hammers on the queen's. He had entered through Lennox's stables, and Lennox was not free from suspicion. The town turned out, rescued James, and captured a few assailants of no note, who were hanged. The names of the ruffians prove them of the Border: Hepburns, Douglases, Humes, Ormistons, Leirmonths (mainly of Ercildoune, the Rhymer's family), Pringles, and, what looks ill for Lennox, Stewarts. John Colville, with Douglas of Spot, of Morton's brood, also thought it for his interest to take part with Bothwell.[50] Craig, the preacher, publicly informed James that, to punish his laxity, "God had made a noise of crying and forehammers come to his own doors."[51] Presently the character of the king himself was blemished by a deed which for years influenced the politics of Scotland. This was the murder, by Huntly and his retainers, of the bonny Earl Moray, commemorated in the familiar ballad. Before describing the circumstances and consequences of this deed, it is necessary to explore its causes, which were remote and complicated.

Colin, sixth Earl of Argyll, died in September 1584. His heir and eldest son, Archibald, was then a child of eight years of age. His mother was left with a council of six Campbells, including Campbell of Glenurchy, Campbell of Calder, Campbell of Ardkinglas (an estate on the southern side of Lochfyne, opposite Inverary), and Campbell of Lochnell. Of these Lochnell was, as the Lochnell of to-day still is, the first cadet of the House of Argyll, while the heir-presumptive is, maternally, of the House of Ardkinglas. In 1584 Ardkinglas received the wardship and marriage of the child earl, and he, with Calder and the Bishop of Argyll, had most power in the clan council of six. Lochnell, as first cadet and next in succession, failing the issue of the sixth Earl of Argyll, was jealous of Ardkinglas, and was backed by Glenurchy. Ardkinglas died (1591), and his son was practically subordinated to Calder. A partisan of Calder's was the bonny Earl Moray, a Stewart by family, who had married the daughter and heiress of the Regent Murray, the foe, and for a while the destroyer (1562), of the House of Huntly. In the feuds about the earldom of Moray, once held by the Huntlys, the Argylls had supported the House of Moray. In 1590 Huntly had reasons

for wishing to deprive the bonny Earl of the support of Calder. Huntly allied himself with Lochiel, Moray with Atholl, Calder, and Lovat. Huntly also made approaches to Calder's intertribal foes, Lochnell and Glenurchy. They all formed a "band" for the destruction of the young Argyll, his brother, Calder, and the bonny Earl Moray. Parties to this "band" were Maclean of Duart, whose ancestor, as we saw in a previous volume, had been slain by Calder's grandfather; Stewart of Appin; Macdougal of Dunolly, near Oban,—*and Maitland, the Chancellor!* While the Earl of Moray, Calder, and Argyll, and his brother, were to be done to death, Lochnell (who would succeed to the earldom of Argyll) was to reward Maitland with lands in Stirlingshire, and Glenurchy with those of Lochowe, the ancient patrimony of the Campbells. Ardkinglas, it seems, knew nothing of "the great band"; but he hated Calder, and was induced to have him shot by a man named Mackellar. So far so good; one victim of "the great band," one enemy of Huntly, had perished.[52] He next aimed at the bonny Earl of Moray, who was now within striking distance of Edinburgh—very probably for the purpose of assisting Bothwell in his enterprises against James (December 27, 1591). That he was suspected of a part in this treasonable conspiracy is certain.

On December 31, 1591, Hudson wrote to Cecil that there were fears of James's being surprised by the Earl of Moray,[53] "suspected to be a favourer of Bothwell." His arrival at Donibristle, on the northern side of the Queensferry, is said to have been caused by a desire to be reconciled to Huntly by the good services of Ochiltree; and these services, again, may have been part of a plot by Maitland, a member of the great band, to bring Moray within reach. James would be told that Moray was a Bothwellian: to Huntly he was a feudal foe,—Maitland wanted part of his spoil. The story about Maitland and Ochiltree is the version of the author of 'The Historie of King James the Sext,' a work of 1582-97, probably in part by John Colville, and is attested by Roger Aston, writing at the moment. On the other hand, five weeks before Moray's slaying, as we saw, Hudson had reported suspicions that he intended with others to seize the person of James. Bothwell's attempt was of December 27, the suspicions were expressed on December 31, and it may have been supposed that Moray, had Bothwell succeeded, would have carried the king north to his remote earldom.

The story of the murder is best given in the words of Aston, an English "intelligencer," writing to Bowes from Edinburgh on February 8:* words printed below.

It is usually said that when Moray's house was fired, his long streaming locks caught fire, and led the murderers to his hiding-place. Huntly, it is averred, gashed his brow with a dagger. "You have spoiled a better face than your own," said the dying Earl, whose beauty, the ballad avers, had won the favour of the queen. According to Calderwood, Ochiltree swore that he had brought Moray to Donibristle, with the knowledge only of James, Huntly, and Maitland, for the purpose of a reconciliation. But Moray cannot have been far off when, weeks earlier, he was suspected of a design to capture James; and he was even said to have been with Bothwell

* This long tyme past the yerle of Murre has sought to be reconciled with Huntle and for that caues has employd sundry of his frendes to travel with the King wich was nere all apoyntt be my L. Occoltryes means whoo both delt with the King and the yerle Huntle, and for that caues the yerle Murre came to his howes of Donnebrissel whithin ij myle of the quenes ferry Where the Lord Occoltry was to have mett on mondaye the vii of this enstand and for that purpose came to the ferry and wold have gone over, butt commanment was come thether as they sayd frum the King, thatt no botes should pas. Where uppon the sed lord retorned thinkeing there had bene sum enterpryes to have bene done be the King thatt daye. The King was att hunting and Huntle gave it outt he was going to the King and so came forthe acompened with xl horse of his servanttes. Thatt morning Huntle tould the King he had a porpose of Mr Jhon Colvel and some otheres thatt were withe the yerle Bodwel, and for that caues he was to pas over the water. Yett the King fering the unconvenyenes tatt mought ensew be reson of the yerle of Murrey being on the other syd, discharged him to ryd, wich he promest to obe, butt sorttly after the King was gone furthe, he past forwartt to the sed yerle of Murres howes, and being but two howses, and not abel to be keptt, they thatt were within came forthe sondry tymes, and descharged there pestoles and slew sume of Honttlees men as Capten Gordon and dyvers otheres. There uppon they toke the corne stakes and led to the howes so thatt the extremety of the fier forced theme that was within to come forth. The yerle him selfe, after he was so brent as he was not abel to howld a wepon in one of his handes, came throw them al with his sord in his hand, and lyke a lyon forsed them al to geve plase, and so gott thorow them all, and with sped of fott out ren, but sowch was his fourten, after he had esecaped them, lit in the handes of some of the watchers, whoo sett uppon him, and thirst him to the water, wher he was be them crewelly slen. The Serreff of Morre was slene and one othere of his servantes, many hurt of both sides, the ould lady, his sesters, and cheldren, were al sauet. This fackett is counted very odywos be al men, the King takes it very hevily. What ponesment there wil be for it I know nott. Huntle is past norwartt, the King and counsellors are at this hour setting uppon the matter, the pepel cryes outt of the crewelty of the ded. We loke for nothing but mischef." —State Papers, Scot., Eliz., vol. xlviii. No 12, i.

in the attack of December 27. Perhaps the king knew nothing, perhaps his attitude was that attributed to him in the ballad—

"Oh, wae worth ye, Huntley,
And wherefore did ye sae?
I bade you bring him to me,
But forbade you him to slay."

Taking all the evidence together, it would appear that the bonny Earl had long been marked down for death by the Lochnell party in Clan Diarmaid, by Huntly, and by Maitland. As Huntly is said to have procured a commission against Moray, signed by Maitland and Sir Robert Melville, that was probably extracted from James under his terror of Moray as an ally of Bothwell. Of "the great band" nothing was yet known, but it came to light after the conspiracy had been nearly fatal to Argyll, and serious consequences followed. On the day after Moray's death a decree of Council deprived Huntly of all his commissions of lieutenancy.[54] James summoned an army to meet at Perth on March 10 and pursue the Earl, but he offered to "underlie trial," and entered himself a prisoner at Blackness.[55] He was allowed to slip away, as usual, in spite of the tumults of the populace and the indignation of the preachers. They wished, as successors of the apostles, to excommunicate the slayer of the bonny Earl; but James "grudged that the besetters of the abbey," Bothwell and the others, escaped the censure of the Kirk. He seems to have forgotten that Bothwell was, or feigned to be, a Protestant and had only attacked a king.[56] The preachers were very slow to censure any offender against their sovereign. Whoever was guilty as to Moray, Maitland was the sufferer. "The queen and others that favoured Bothwell" caused him to be removed from power, and he retired to Lethington (March 30, 1592).

Mar and the new Earl of Morton (not Maxwell, but William Douglas of Lochleven) succeeded to office. Bothwell made interest with "his loving brethren the ministers and elders of Edinburgh." He gave "their godly wisdoms" a curious account of his own recent proceedings. As to his dealing with Spain against our Zion, the facts were these: In the Parliament after Mary's death Maitland induced Bothwell and the other nobles to swear to avenge the queen. Spanish agents took the occasion to insinuate themselves in the favour of Bothwell and the other patriots.

Maitland took the same course till he saw that Huntly, not he, was to have the handling of the Spanish gold (which Bruce kept out of Huntly's clutches), and so Maitland turned good Protestant and friend to England. This is all very probable, considering the morals of the statesmen concerned. Next, as to Bothwell's conspiring against James with witches, the evidence is that of "poor beggars." Maitland would have had James proceed summarily against Bothwell, just as he and his "friends" (that is, Lethington) would long ago have had the Regent Murray take off Queen Mary (after her capture at Carberry Hill in June 1567). Bothwell thus repeats what Randolph frankly told Lethington, that he "had advised to take presently the life from her," Mary having, as she said, evidence that would hang Lethington. Bothwell then accused Maitland, himself a partaker in Darnley's murder, with having helped Sir James Balfour, who supplied the powder, to draw out the indictment against Morton. All this was true enough. Bothwell, taking the old line of the *noblesse*, averred that Maitland was worse than Cochran, hanged at the bridge of Lauder, under James III. Maitland is "the puddock-stool [fungus] of a night," Bothwell is "an ancient cedar." The apology breaks off here, but it enables us to understand the feelings of the nobles generally towards a counsellor who, though of family more ancient than Bothwell's own, was not of high rank.[57]

Maitland must have seen that, with a past like his, and with the nobles against him, he must seek the support of the Kirk. James, too, was exceedingly unpopular, both with the preachers and the populace, for the matter of Moray's death, and he went in daily fear of Bothwell. Adamson he had already thrown to the wolves: now he cast to them the whole fabric of Episcopacy.

The Parliament of April–June 1592 was intended to forfeit Bothwell. But it secured, as James Melville says, "the Ratification of the Liberty of the Trew Kirk," and the abrogation of the Black Acts of 1584. Melville attributes James's concessions to fear of Bothwell, of popular hatred stimulated by ballads on the bonny Earl Moray, and of "public threatening of God's judgments thereupon from pulpits."[58] "The charter of the liberties of the Church" was passed; and the Kirk flourished with all her powers of jurisdiction, discipline, inquisition, and excommunication. If these powers were exercised in their full sense, and as the extreme Protestants had

always desired to use them, persecution must ensue. The laws against Catholics, involving imprisonment, confiscation, exile, and, in the last resort, death, would be enforced. The nobles had hitherto always restrained the desire of the extreme party to extirpate idolaters, and at this hour some thirteen of the great nobles were Catholics, while other men of their rank stood by their order. Thus what the preachers were likely to demand was what the king dared not, and did not desire to grant.

The settlement of June 1592 is regarded by Dr M'Crie, the learned biographer of Andrew Melville, as "not without its defects." Nearly all that the Second Book of Discipline had demanded was granted. But the General Assembly was not permitted to choose the time and place of its own meetings, which would seem to imply that it could not hold special meetings whenever it seemed opportune to exercise political pressure. "The liberties of the people were fettered by the continuance of lay patronage."

The ideal of the Kirk was that ministers should be selected "by the judgment of the elders, and consent of the congregation," in each instance. No minister was to be "intrused" on a congregation without "lawful election, and the consent of the people."[59] Sometimes, it seems, "the votes of the congregation at large" elected the minister, or they chose electors, or they referred the matter to the presbytery. Once duly elected, by popular choice or consent, the minister appears (at least according to many opinions, of which some are cited) to have been regarded as a supreme judge, and successor to the privileges of the apostles. Nominally, this applied only to matters spiritual, but these in practice included politics. These must be conducted according to "the Word of God," and the preachers were the inspired interpreters of the Word of God. On this point we must keep insisting. Democratic election, by congregations, supplied a theocratic Government, *imperium in imperio;* and this was the real cause of the coming civil wars and persecutions. James and his son chose to resist the encroachments on the power of the State by "intruding" Episcopacy on a recalcitrant people, which fought and suffered for "liberty of conscience." The strife only ended by the gradual resigning of claims to inspired interference—a resignation caused in part by the drastic measures of Claverhouse and Lauderdale, in part by the general decadence of the old original spirit of the Calvinistic Reformation.

The Parliament that set up Presbyterianism forfeited Bothwell,* who riposted with an attempt to capture James at Falkland (June 27). A warning was posted on the palace gate: the wife of Halkett of Pitfirrane and the wife of the Master of Gray were accused. The Master himself (July 14) calmly informed Cecil that not only he and Bothwell but the whole body of the nobility "were united for the maintenance of God's cause, the reformation of Church matters, the preservation of their king's honour, and such settled dealings with England that their country may not be made the footstool of foreigners."[60] Both the Master and Bothwell were welcomed in England, and Bruce, the preacher, declared to James that the claim of the Bothwell raiders was to secure justice for the death of Moray. He requested James "to humble himself upon his knees." The king was so far from humbling himself upon his knees that "he stood to his own purgation." "The raiders," he said, "pretended no such matter as to seek justice for the last murder." A young woman, the daughter of a saddler in Aberdeen, was also moved to come and admonish James. She handed to him a paper: "after he had read a little of it he fell a laughing that he could scarce stand on his feet."[61]

While James was fleeing up and down the country before Bothwell, a mobile foe, a pretty romantic event occurred. The young laird of Logie, in one version, had brought Bothwell quietly into Dalkeith Castle, where James lay. Logie was arrested and handed over to the Guard. But Logie was on affectionate terms with Margaret Vinstar, a maid of honour of the queen. She therefore went to the captain of the Guard when James was asleep, and said that the king wished to see Logie. The soldiers brought him to James's chamber door, he entered with his lady-love, the guardsmen remained outside, and Margaret let Logie out of the King's window. The fancy of the novelist could not invent a neater escape. The queen stood up for the maid of honour, James probably laughed—at all events he pardoned Logie, who married his Margaret.[62]

While anarchy prevailed, while Atholl and Mackintosh ravaged Huntly's lands, while the Master of Gray came back into James's

* In the list of his supporters are the names of all the other Bothwell's "Lambs." We find Ormistons, Hepburns, Douglases (illegitimate scions of the Regent Morton and others), Pringles, Leirmonths, and Ninian Chirnside, the dealer with the wizard, later noted as a friend of Logan of Restalrig (Act. Parl. Scot., iii. 528).

favour, while the guerilla, Bothwell, subsidised by Spain, was harboured in Edinburgh, and flashed like a meteor through Scotland, Mr Walter Row, a famous preacher, showed the real mark at which he and his brethren shot. "Upon the Lord's day, the 19th November, Mr Walter Row, in his sermon, said that the king might be excommunicated, in case of contumacy, and disobedience to the will of God."[63] Now the preachers were the expositors of the "will of God," and it follows that whenever they disapproved of the king's proceedings they could practically proclaim him an outlaw.

Thus threatened and put at on every side (for the Catholic nobles were entering into intrigues with Spain), James took the desperate step of calling Arran to Court. Arran he was no longer—the real bearer of the title, Queen Mary's old wooer, was still alive, a maniac. But the name of Arran may still mark the intrepid Stewart, of the Ochiltree House, who dragged down Morton, and fell after the success of the Raid of Stirling. The godly remonstrated with James; James replied that Bruce, the preacher, had harboured Bothwell, a prodigal of whom the Kirk was tender. So preacher and king were brawling, as they were at all seasons. Next Sunday the Edinburgh pulpits were thumped to the tune of Arran's misdeeds, though two of the ministers, by James's desire, also inveighed against Bothwell. Arran met some of the preachers, but he could not move them, and he "came not to Court again." James was aware of a danger which he failed to parry. He bade Lady Gowrie, widow of the leader of the Raid of Ruthven, leave her house in Holyrood (August 1592). She returned to that nest of conspiracy, and succeeded in trapping the king.[64]

The attempt at Arran's restoration proves the desperate estate of James. The reader must naturally have wondered how Elizabeth was behaving towards a kinsman so begirdled by perils, and so destitute of comfort. She had Bowes as her representative at Holyrood,—Bowes, the constant ally of the enemies of the king. He wrote again and again to ask what part he ought to take as regarded Bothwell. His questions were unanswered. Bothwell was entertained on the English Marches by Musgrave, the captain of Bewcastle. Elizabeth held him as a card to be played at the fitting moment, just as she had held Murray, Morton, Angus, and the other foes of Mary and of James. Meanwhile the Northern and Catholic party in Scotland—Huntly, Errol, and Angus—knew what

was to be expected from the restored Kirk. James had taken nothing by his surrender to the preachers; they still threatened, still insulted, and, if they did not openly back Bothwell, they regarded him as "a sanctified plague" for James's behoof, and they did nothing in the way of excommunicating a noble who addressed "their godly wisdoms" in terms so flattering. They had lost "the ministers' king," the pious Angus, cut off by witchcraft. His successor in the earldom, the Angus of 1592, was a Catholic. He was implicated in the great Catholic conspiracy, which now, being detected, filled Scotland with rage and horror, the affair of the Spanish Blanks.

After the execution of Queen Mary, the Catholic Powers, especially Spain and the Pope, found, as we have seen, that the English and Scottish Catholics were divided in policy. Cardinal Allen and Father Parsons, with other English managers, were in favour of a Spanish invasion of England (hence the Armada), while Father Creighton and other Scots held that

> "He who would England win
> Must with Scotland first begin,"

and credulously believed that James would be converted. On the failure of the Armada the neglected Scottish Catholics, as we have seen, began to ask Philip to come their way (February 1589). We have described the capture of Pringle with letters to Spain from Huntly, Morton (Maxwell), and Lord Claude, and the scene when these letters were read aloud before their authors. The affair of Brig o' Dee followed, but the conspiracy smouldered on, and it is probable that James knew of and tampered with it. In the early part of 1592 it was known to the English Government (probably through Pourie himself) that Ogilvie, the younger of Pourie, was to be sent on this business to Spain. Pourie, of whom more hereafter, went not; but on December 27 one of the Border Kers, George, brother of Mark, Lord Newbottle, was seized in the Cumbrae Isles by the Paisley minister, Andrew Knox, an energetic man, backed by students of Glasgow University. Ker was trying to carry to Spain letters from Huntly, Angus, Errol, Fintry (an honest Catholic, then in prison, and a friend of Queen Mary), and others of the party. There were also "blanks," unwritten sheets of paper, signed by the chief plotters, and to be filled up by Father Creighton. He was to insert above the signatures the terms of a treaty which he was to arrange with Philip for an invasion by the

Spanish. Letters from Father Gordon (Huntly's uncle) to Father Creighton, and a number of letters to exiles, were also seized.

Angus, on this discovery, was put in ward, but James was mainly moved by the English patronage of Bothwell and the non-arrival of his English pension. Ker was tortured in the boot; he confessed that a Spanish descent on Scotland was desired. Later he was allowed to escape.[65] The private letters in the packet reveal the condition of the country. "Universally, in all shires, many deadly feuds, with great and most odious slaughter, without punishment, reif and oppression through all the country. God wait [?] if the Highlanders lie idle. The Macfarlanes are worse than the Clan Gregor. Alas! the great hership [plundering] of the poor, by these, in all parts where there are any goods." It was easy for the preachers to blame the king as regards these excesses; but James was destitute: police he had none, magistrates were parties to the crimes; the royal Guard was imbecile, and it was found impossible to keep Bothwell out of the precincts of the royal residences. The country was practically in collusion with the marauder, who was distinctly patronised, or at least all uncensured, by the preachers.

On the discovery of the Blanks James was summoned to Edinburgh early in January 1593. There were suspicions that he would favour the conspirators of the Blanks, who were not much less loyal to him than the other factions among his people. To be sure, they proposed to capture him and hold him at the disposal of Philip, to deal with him as his majesty orders.[66] A deputation was sent to the king: it included Andrew Ker of Faldonside, with Bruce, Andrew Melville, and other preachers. James rebuked them for having held a convention without his knowledge, but promised to try the conspirators. James Melville (January 14) preached against the king's grandfather and mother. At last, January 15, it was agreed that James should be allowed to have a guard of 200 men. To keep him without a guard of any force was the usual economy, as every one knew that his own party might at any moment wish to invade the royal person. James (January 19) mingled his grievance against England for fostering Bothwell with promises of severe measures against the Catholics. He himself would march against Huntly.[67] While the host was summoned to proceed against Huntly on February 25, while Fintry (who lay in prison) was ordered to execution, refusing to save himself by turning Protestant,[68] Eliz-

abeth was sending Lord Burgh as an envoy to James. On February 13 Angus escaped, probably by collusion, from Edinburgh Castle. On February 17 James started on his march to Aberdeen, and Bothwell had an address to the preachers placarded at the cross.[69]

The Catholic leaders, as usual, ran away, on this occasion as far as Caithness. But James was suspected by Burgh of favouring the rebels, and it was plain that he did not intend to ruin them by confiscation. That policy never prospered, in fact was very seldom permitted. Mary was not allowed to forfeit Murray and Morton: the great families, though in separate factions, were too near kin to let any of them be ruined. Bothwell by this time was in friendly communication with Cecil, and Elizabeth was sending Mr Locke to announce her acceptance of Bothwell's offers.[70] James roundly informed Burgh that if Elizabeth persisted in supporting Bothwell, "not only our amity is at an end, but I shall be enforced to join in friendship with her greatest enemies for my own safety."[71] James was, of course, bitterly censured for his leniency to the Catholic lords. But, apart from his want of power, they were his last resort against the endless treacheries of Elizabeth, who systematically aided his dangerous and insolent personal foes. Through her ally, Bothwell, she was to win another triumph of insult over the son of her victim, Mary.

It was once more the turn of the General Assembly (April 24) to increase the perplexities of James. They demanded "that all Papists within the realm may be punished *according to the laws of God* and this realm."[72] The laws of God, as far as they are published in Holy Scripture, do not, indeed, denounce fine, imprisonment, exile, and death against Catholics. But penalties are denounced against idolaters in certain parts of the Old Testament, and the preachers (who alone could interpret the Word of God) identified Catholics with idolaters. If, again, any one asked why the preachers were infallible interpreters of the divine will (as Ninian Winzet asked Knox), the answer would seem to be that parish congregations are inspired in their popular elections of preachers, a dogma which, no doubt, could be supported by judiciously "waled" texts. But James could not, and would not, carry out to the full the extirpation of his Catholic subjects. In May and June intrigues went on for the restoration either of Arran or of Maitland. Every kind of violent act, abduction, and murder was frequent in

Edinburgh. The queen, for some personal reason, was opposed to Maitland's return to power, and Bowes tried, but vainly, to prevent the despatch of Robert Melville as an envoy to Elizabeth. At the English Court Archibald Douglas had almost dropped out of sight; but he was still residing in London, in a "semi-official" way. As far back as June 1592 a sympathetic correspondent in Scotland told him that "the ministers is sorry for Bothwell," who, if at liberty, "would put all the papists out of the country."[73] It is a humorous fact that Father Creighton, at this very time, reckoned Bothwell in a list of Scottish Catholics, probably with reason. Bothwell gulled the Kirk (Jesuit Archives).

It was alleged in England that James, too, was mixed up in the intrigue with Spain, and apparently that his advice to Spain was seized with the papers of George Ker, but suppressed in the interest of the king. We have seen that at the time when the Spanish Blanks were seized the Kirk suspected James at least of partiality to the Catholics who signed them. Calderwood writes: "Mr John Davidson, in his Diary, recordeth on the 26th of May (1593) that among the letters of the traffickers intercepted were [*sic*] found one to the Prince of Parma, which touched the king with knowledge and approbation of the trafficking, and promise of assistance, &c., but that it was not thought expedient to publish it. Mr John was acquaint with the discovery, and all the intercepted letters."[74]

Now it seems certain that there actually was a manuscript of James's among the papers found with George Ker. It is printed in the 'Hatfield Calendar' (iv. 214). The piece is really a balancing, after the manner used by Cecil and Robinson Crusoe, of the pros and cons of accepting Spanish assistance. It may be of March–June 1592. James gives first the reasons which may be put forward in favour of instant action by Spain. On the other side is the unreadiness of Scotland. "Since I can scarce keep myself from some of their invasions, much less can I make them invade other countries." He would prefer the attempt to die down, as too many are in the secret. If anything is to be done, he would prefer to do it himself, with some small help of foreign men and money. But he knew that *he* could not do it, and a successful invasion by Philip was not in his interest. He threw cold water on the whole plot. If once he had Scotland settled, and was in the mind, he might forewarn Spain, and "attain to our purpose." The paper is indorsed, "Copy of the Scotch King's instructions to Spain,

which should have been sent by Pourie Oge" (Ogilvie of Pourie), "but thereafter were concredit to Mr John Ker, and withdrawn" (not published) "at his taking for safety of his Majesty's honour" (1593).

Any one who reads the whole document will find that James has no heart for the project, that he is merely "driving time," balancing arguments, and feebly dreaming of what great things he might do "when I like, hereafter." No mortal would send such a paper as "Instructions to Spain," if he wanted to keep Spain friendly to his purpose. Only prejudice could style the paper "Instructions to Spain." Still less is the document, as Calderwood quotes Davidson, "a letter to the Prince of Parma." James wanted "*fewer* strange princes in the secret of it." The paper may have been meant for Father Creighton, to quiet that bustling priest, or it may have been a secret memorandum which fell into Pourie's hands, Pourie being an impudent rogue and double spy. The memorandum was written many months before Ker's intended start to Spain with the Blanks; but, on the other hand, the business for which the Blanks were wanted had been arranged by Creighton before James's memorandum was written, as Ker confessed under torture. We can only say that the memorandum, if really known to the preachers, must have inflamed their habitual suspicion of James. But he never was on the side of Huntly and the other Catholic peers. They knew and said as much in reports to Philip.[75]

He sent Robert Melville to London, and Melville there found Archibald Douglas still in touch with the English Court, and supported at the expense of Elizabeth.[76] Elizabeth in July saw Melville, and wrote one of her unintelligible pieces of euphuism to James, avoiding details as to her support of Bothwell.[77] At about the same time (June 22) Maitland at last returned to Court, attended by Hamilton, Montrose, Seton, Glencairn, Eglinton, and others. Lennox, on the other side, who shared the hatred against Maitland of the queen, Bothwell, and most of the nobles, had Mar, Morton, Home, and the Master of Glamis among his backers. Arran was not far off, passions were inflamed by various feuds, Maitland withdrew to Lethington (June 28).[78] In these stormy days Parliament met, and Bothwell was forfeited, but the Catholic earls remained untouched. For this leniency the king's Advocate, Makgill, gave reasons in law, but the preachers were infuriated. Davidson (July 22) imprecated "sanctified plagues" for James's

behoof. As that "sanctified plague," Bothwell, surprised and seized James on July 24, by that very trap, Lady Gowrie's house, which James had tried to render harmless, Mr Davidson's prayer was instantly effectual: he was a prophet as well as a poet. The ungodly might even suggest that Davidson knew what was impending, and that his inspiration had no source more divine or remote than the English Embassy. Elizabeth had sent Mr Locke to Scotland, and he, with Colville, a veteran intriguer, and Bothwell, had secretly met in Edinburgh and organised their plot.

Some years had passed since the king's last capture. It is to be noted that such attempts continued to be made almost till the year when he attained the crown of England. In many instances these assaults had the support, or at least the sympathy, of the preachers. It is improbable that the king, and Scotland, could ever have escaped the sufferings consequent on such anarchic methods except by the turn of events which placed James on the throne of a more powerful and more law-abiding country than his ancestor's kingdom. The combinations of lawless nobles and powerful preachers must, but for the English succession, have been fatal to Scottish civilisation.

NOTES TO CHAPTER XIII.

[1] Thorpe, i. 542.

[2] Calderwood, iv. 611.

[3] Illustrations of Scottish History, Miss Warrender, p. 27.

[4] Spottiswoode, ii. 365-371.

[5] Spanish State Papers, iv. 45, 51, 100, 138, 145, 308, as to the obduracy of James. Also pp. 179, 204, 227, 320, 427, 429, as to the Catholic traffickers.

[6] Thorpe, Calendar, i. 543, 544.

[7] Privy Council Register, iv. 157, 158.

[8] Hatfield Calendar, iii. 243; Murdin, pp. 587, 588.

[9] The report of the case is derived from the Register of the Privy Council (iv. 166-168).

[10] Hatfield Calendar, iii. 258, 259. May 22, Richard to Archibald Douglas.

[11] Gowrie had no counsel, Norfolk had none; Archibald Douglas, in his collusive trial, had pleaded his own case, as he was well qualified to do. He vowed that he "trusted to his innocence, and desired no prolocutor." The Earl of Orkney had prolocutors (1615). In 1600, in the Gowrie case, the accused were dead, and their representatives dared not appear.

[12] Act. Parl. Scot., iii. 427-521.

[13] Spanish State Papers, iv. 141.

[14] Privy Council Register, iv. 204, 205.

[15] Hatfield Calendar, iii. 295, 296. [16] Hatfield Calendar, iii. 299-301.
[17] Autobiography of James Melville, p. 260.
[18] Hatfield Calendar, iii. 307, 317; Calderwood, iv. 677.
[19] Hatfield Calendar, iii. 313, 326; March 18, 1588.
[20] Hatfield Calendar, iii. 322.
[21] Privy Council Register, iv. 277.
[22] Hatfield Calendar, iii. 326.
[23] Calderwood, iv. 678, 679; Privy Council Register, iv. 286-293.
[24] Calderwood, iv. 679, 680.
[25] Border Calendar, ii. 487.
[26] Melville (the Rev.), pp. 262-264.
[27] Hatfield Calendar, iii. 349, 350.
[28] Thorpe, Calendar, i. 551, 552.
[29] Ashton to Hunsdon, Thorpe, Calendar, i. 552. [30] Calderwood, v. 1-3.
[31] Calderwood, v. 14-37; Thorpe, Calendar, i. 555, 556.
[32] Calderwood, v. 53, 54.
[33] Thorpe, Calendar, i. 557.
[34] Privy Council Register, iv. 371-373.
[35] This Angus, successor to the good Presbyterian Earl, was Douglas of Glenbervie. He died soon afterwards, and his son, the new Angus, was a Catholic. He was served heir to his father in November 1591.
[36] Privy Council Register, iv. 371-381; Calderwood, v. 54-56; Spottiswoode, ii. 395; Thorpe, Calendar, i. 559.
[37] Thorpe, Calendar, i. 560.
[38] Thorpe, Calendar, ii. 563.
[39] Calderwood, ii. 57, 58.
[40] Papers of the Master of Gray, p. 157.
[41] Papers of the Master of Gray, pp. 161-164.
[42] Spottiswoode, ii. 400-404.
[43] Spottiswoode, ii. 408. Compare Calderwood, v. 95, 96, who says nothing of the king's threat.
[44] Calderwood, v. 100-104.
[45] For "Witchcraft" see Mr Gurney, in 'Phantasms of the Living.'
[46] Thorpe, Calendar, ii. 591; Border Calendar, i. 379, No. 709.
[47] Calderwood, v. 132.
[48] Calderwood, v. 106, 112.
[49] James Melville, pp. 272-276.
[50] Calderwood, v. 140, 141; Thorpe, Calendar, ii. 600.
[51] Calderwood, v. 142, 143.
[52] Gregory, History of the Western Highlands and Isles, pp. 245-253.
[53] Thorpe, Calendar, ii. 600.
[54] Privy Council Register, iv. 725. [55] Privy Council Register, iv. 733.
[56] Calderwood, v. 148. [57] Calderwood, v. 150-156.
[58] Melville, p. 294. [59] Second Book of Discipline, iii. 12.
[60] Thorpe, Calendar, ii. 609. [61] Calderwood, v. 169.
[62] Bowes to Burghley, August 15, Thorpe, Calendar, p. 611; Calderwood, v. 173, 174. See also, in 'Border Minstrelsy,' the ballad of "The Laird of Logie," and in Child's 'English and Scottish Ballads.'
[63] Calderwood, v. 179.
[64] Calderwood, v. 186-190. Bowes to Burghley, December 4, Thorpe, Calendar, ii. 618. For Lady Gowrie, cf. Thorpe, ii. 611, No. 6.

[65] The letters are in Calderwood, v. 192-214. See also Thorpe, Calendar, ii. 618-623. Also 'A Discoverie of the unnatural and traiterous Conspiracie of Scottish Papists,' published by the king's command. John Norton, London. 1593. For the Spanish view, Spanish State Papers, iv. 603-606.

[66] Spanish State Papers, iv. 606.

[67] Thorpe, Calendar, ii. 622.

[68] Forbes-Leith, Narratives of Scottish Catholics, pp. 220, 221. Quoting Father Tyrie's report, State Papers, Elizabeth, MS., vol. l. No. 4. Apparently not Calendared.

[69] Calderwood, v. 231.

[70] Thorpe, Calendar, v. 624-626.

[71] Tytler, ix. 89, citing Warrender MSS. These, for long supposed to have perished by fire, have recently been rediscovered, and are of importance.

[72] Calderwood, v. 241.

[73] Hatfield Calendar, iv. 206. Francis Tennant, a bourgeois spy, later hanged, to Archibald Douglas, June 4, 1592.

[74] Calderwood, v. 251.

[75] Spanish State Papers, iv. 588-592, 603-607. Mr Hume Brown (ii. 216) says that James had a secret understanding with the Catholic earls, and cites 'Spanish State Papers,' iv. 603. But compare the same series, iv. 606 and 617, and Major Martin Hume's 'Treason and Plot' with Mr T. G. Law in 'Miscellany of the Scottish History Society,' vol. i. I venture to think that James did little worse than avoid the last extremities with the Catholic earls, keeping in touch with their schemes as an ultimate resource. Cf. p. 388, note.

[76] Hatfield Calendar, iv. 334.

[77] Hatfield Calendar, iv. 344.

[78] Thorpe, Calendar, ii. 629, 630.

CHAPTER XIV.

INTRIGUES OF SPAIN, ENGLAND, AND BOTHWELL.

1593–1595.

BOTHWELL'S new enterprise was at once the most grotesque and the most picturesque of those to which James fell a victim. A Stewart and a Hepburn, Bothwell was aided by the clan of which his king was the chief. Lennox, and Ochiltree, and Atholl, all in the plot, were all Stewarts (the existing House of Atholl are Murrays of Tullibardine in the male line and Stewarts by female descent). The Countess of Atholl was a daughter of Lady Gowrie, whose revenge for her husband's execution in 1584, and for the insults and injuries inflicted on herself by Arran, had never yet been sated. The House of Gowrie had been restored in 1585, on Arran's fall, to its lands and dignities; its head, John, Earl of Gowrie, was at this time a youth of sixteen or seventeen, who had been studying in the University of Edinburgh under the celebrated minister, Mr Rollock. Probably he was now at work on his thesis for his Master's degree, which he took in August. He was then an ardent Protestant, and we shall presently find him already engaged in a revolutionary conspiracy against the king. We are not informed, however, that he was present or took any part in Bothwell's new enterprise, though it had for its base the town house of the Gowrie family—the house which James had held in suspicion (p. 362).

The house of the Gowries was behind and adjacent to the Palace of Holyrood, and thither on the night of July 23 Bothwell, with the basely adventurous John Colville, was secretly conveyed. Between the Gowrie mansion and the palace was a covered passage patent at all times. Coming through this passage, from the palace, Lady Atholl led back Bothwell and Colville into James's ante-chamber, hid

them behind the arras, and locked the door of the queen's chamber. Here, it seems probable, they waited while the gentlemen of the clan of Stewart took possession of the outer and inner courts of Holyrood in the grey of the July dawn. James, early astir, was "private in a retiring-room," his majesty's clothes were loose, and "the points of his hose not knitted up," when Colville and Bothwell appeared before him with drawn swords in their hands. Bothwell said to the king, "Lo, my good bairn, you that have given out that I sought your life, it is now in this hand!" So Bothwell later told the Dean of Durham.[1] James, with a cry of treason, fled as well as he could to the queen's chamber. The door was locked. He turned and called the intruders false traitors, bidding them strike if they durst. Bothwell and Colville knelt down, Atholl and Ochiltree arrived and interceded for the impudent suppliants. James derided their pretence of asking for forgiveness and offering to "thole an assize" on the old charge of witchcraft. He would not live a prisoner and dishonoured. Bothwell, still kneeling, kissed the hilt of his sword and offered it to James, lowering his head and tossing aside his long love-locks. James rose and took Bothwell apart into the embrasure of a window. News had now reached the citizens, "the bells were rung backward"; the burgesses, however, gathered but slowly. They may have heard Davidson's sermon; was it for them to interfere between the king and "sanctified plagues"? Hume of North Berwick, with a few other gentlemen, came under the king's windows, offering to rescue him or lose their lives. Sir James Melville was with Hume, and "cried up at the window of his majesty's chamber, asking how he did? He came to the window, and said all would be well enough,—he had agreed with them on certain conditions, 'which are presently to be put into writing. Therefore,' said he, 'cause so many of the town as are come to my relief to stay in the abbey kirkyard till I send them further word, and return again within half an hour yourself.'" But few of the town had gathered, and these now retired, "so great was their miscontent for the time that many desired a change." Melville then went to the rooms of the Danish ambassadors, who sent him back to make anxious inquiries. James appeared at the window with the queen and said that all was well. Melville was later admitted to see James, quoted Plutarch, and prosed in the manner of Polonius. Later James met the ambassadors, but could not tell them whether he was captive or not. Captive he was; a new guard was ap-

pointed, under Ochiltree, one of the conspirators.[2] There was something obscure and unfathomable in this plot. Bothwell, we shall see, met the Dean of Durham, who on August 15 favoured Burghley with a second account of his interview with Bothwell, fuller than that of August 5. The Queen of Scotland, the Dean said, was "not unacquainted with his greatest affairs," and the Dean seems to hint that she was better for England to deal with than the king. Moreover, she was jealous of Morton's "fayre daughter." A letter had been written as to the succession to the Scottish throne, intercepted, and brought to Bothwell. The Dean ends by strenuously recommending Bothwell to Elizabeth as "likeliest to do her faithfullest service in that country." It is useless to guess at the intrigue as to the Scottish throne: it is not credible that the young Gowrie was thought of, on the strength of his fabled Tudor descent.[3]

Whatever Bothwell's secret purposes and his relations with James's queen may have been, the conditions which he accepted from James were these: Full remission of all offences for himself and his accomplices, to be ratified in the Parliament of November 1593. Home, Maitland, the Master of Glamis, and Sir George Hume to be dismissed from office; Bothwell and the rest meanwhile to retire "where they thought good." Lennox, Atholl, the Master of Gray, the Provost, the bailies, and six preachers signed this treaty;[4] "the ministers of the Kirk showed themselves highly gratified at Bothwell's return," says Bowes.

Such was the plot, directed from England by the Ministers of Elizabeth, and worked by the Stewarts and Ruthvens of Gowrie. It demonstrates the utter helplessness of James, who, denounced by his clergy, lost the services of his father's murderer, Maitland; and, betrayed by his own clan, was thrown on the mercy of his most insolent rebel. If, in such circumstances as these, James was unwilling to extirpate his Catholic subjects, and tempted to look abroad for the assistance denied him by his kinswoman, Elizabeth, by his clan, and by his clergy, perhaps he cannot be very severely blamed. His Catholic earls, the Spanish party in Scotland, did blame him for keeping them in hand while he had no intention of joining them.[5]

Bothwell now rode to Berwick, met John Carey (son of Lord Hunsdon), professed his gratitude to Elizabeth, and announced his hope of being made "Lord Lieutenant of the whole country." The

ambition of his accomplice, John Colville, was to be Secretary of State! Bothwell then rode to Durham, on his southward way, quartered himself on Toby Matthew, Dean of Durham, already mentioned, and regaled the horrified dignitary of a respectable Church by a lively account of his performances.[6] He had not betrayed Elizabeth to James, he said; and he had told the king that *he* might forget the death of Mary, as James had forgiven it. He advised that a plan of Elizabeth's for uniting the Catholic and Protestant parties in Scotland should be deferred, "lest the multitude of the one may in time, and that soon, wreck the other, being fewer in number, and so become rulers of the king." Hence it would appear that the Catholics were still a numerical majority, which is unexpected. Bothwell then wrote a letter to Elizabeth, "Most Renowned Empress," kissing "her heavenly hands.". Had he been an English subject, Bothwell would have rivalled Essex—he wrote in the style that Gloriana loved. He picked up on the Borders some hounds and horses for James, and was "cleansed" of witchcraft at his assize on August 10. Being in power, he was acquitted, but a letter to him from John Colville, later, makes it very probable that Bothwell had really tried an experiment in poisoning James, by aid of Richard Graham, the wizard. He had only dealt with the wizard Graham, he said, in the interests of the dying Angus.[7]

From that day it is almost impossible to paint the mælstrom of eddies, waves, and cross-currents of tides upon which James swam like a cork, now submerged, now visible to the anxious eye. He owed his life, probably, to the circumstance that he had no successor in whose interest it was worth while to kill the king. Hamilton had a better claim than Lennox, among the Stewarts Bothwell was of an illegitimate branch, Atholl and Ochiltree were much too remote, Gowrie can hardly have been thought of, and, in any case, all, though banded together by the blood-feud for the bonny Earl Moray, were too jealous of each other to attempt a change of dynasty. James's queen was a Bothwellian: chiefly because she hated Maitland, partly because she always opposed her husband, partly, perhaps, because Bothwell was "a gay gallant" and an amusing companion.

On the night of the day after Bothwell's acquittal on the charge of witchcraft James had arranged an escape. The Humes were at feud with the Hepburns,—the whole tangle is a mass of family

feuds,—and Home was a Catholic. The idea was that Huntly should be ready with his Gordons, Home with his Humes, and, as James had an unwonted *tendresse* for the daughter of Morton (that is, Douglas of Lochleven), Morton also was in the affair. Three Erskines about the king's person were of the king's party, and two of his gentlemen, Lesley and Ogilvy, were reckoned trustworthy. James gave out that he was to ride to Falkland, but a speedy nag was intended to bear him to Morton's house, Lochleven, while Home was to attack the hostile faction in Edinburgh. But in the grey dawn of August 11 Lesley was detected as he stole through the palace grounds with James's ring and a letter for Home.[8] So wakeful a guerilla soldier as Bothwell was not to be caught asleep: the Erskines, Thomas and James, Ogilvy, and Lesley were handed over to Ochiltree's guardsmen, and a quarrel broke out between Bothwell and James. He would not leave the king, or let him out of his power, till he was formally restored by Parliament and had avenged the bonny Earl Moray. Bowes was called for, and protested, with an innocent air, against the enterprises of Bothwell. The preachers and burgesses arranged a *modus vivendi*, being, "after a sort," guarantors of the king's promises. Bothwell on one side, Maitland, Home, and the Master of Glamis on the other, were to avoid the Court till Parliament met in November. So Bruce, the preacher, wrote to the presbytery of Dunfermline (August 15).[9]

On September 9 a convention assembled at Stirling. A strange cross-current arose from the intrigues of Elizabeth and of Cecil's son, Sir Robert, who now was chief English manager of Scottish affairs. We have seen that Bothwell, immediately after the success at Holyrood, entertained the Dean of Durham with Elizabeth's plan for uniting Scottish Protestants and Catholics. How she expected fire and water to become bosom friends it is hard to understand, and Bowes (September 6) wrote to express his bewilderment. The arrangement could not be concealed from "£86£6"—that is, the preachers. As Huntly and the Catholics were certain to demand religious toleration, the preachers would be purely frantic. Like Lord Hamilton, when James ventured to hint at toleration, they would exclaim, "Then are we all gone, then are we all gone, then are we all gone! If there were no more to withstand, I will withstand."[10]

The desperate intrigue, however, certainly went on till Elizabeth presently shook off Huntly and the Catholics, with whom she was

certainly intriguing as late as September 6. Elizabeth, indeed, had apparently thrown over Bothwell, in a letter of August 23, bidding James "kingly and resolutely make his unsound subjects know his power," and expressing her doubt whether the news of his arrangement with his rebel was not an auditory hallucination of her own.[11] On September 6 Bowes wrote that "Huntly and his friends will go forward agreeable to their offers to her majesty,"[12] though he also expressed, as we saw, his perplexity about the arrangement. At Linlithgow (September 11) Bothwell was apprised that he must not come near James, though he would be formally restored by Parliament in November; after which he must quit the realm till he had licence to return.[13] James, in fact, had recovered his liberty, and he left Stirling with Lennox. Why Lennox had deserted Bothwell is uncertain, but he may have heard of his ambitious design to become Lieutenant-General of the whole kingdom. Mar and Morton accompanied James to Lochleven, and there he was joined by Home and the gentlemen of his name, with the Master of Glamis. All these, by the original compact with Bothwell, had been debarred the Court. Maitland with the Kers of Cessford also came to James, and it was clear that the Stewart-Ruthven-Bothwell combination against their chief was broken up, while on September 22, by public proclamation at Edinburgh Cross, Bothwell was forbidden to approach the king under pain of treason.[14] Ochiltree ceased to be captain of the Guard; the post was given to Home, a Catholic: to be sure the Guard never interfered with any gentleman who had a fancy for kidnapping his monarch.

Elizabeth remarked (October 7) that, inured as she was to Scottish revolutions, "I should never leave wondering at such strange and uncouth actions. . . . One while I receive a writ of oblivion and forgiveness, then a revocation with new additions of later consideration." "Sometimes, some you call traitors with proclaim" (meaning Huntly, Angus, and Errol), "and anon there must be no proof allowed, though never so apparent against them." Elizabeth had abandoned her intrigue with Huntly, hence these tears. "And for Bothwell! Jesus! Did ever any muse more than I that you could so quietly put up so temerarious indigne a fact. . . . I refer me to my own letters what doom I gave thereof." Elizabeth had a disinterested passion for lying: James, of course, knew perfectly well that Bothwell's shaft came

out of her quiver.[15] Probably Elizabeth's letter was written after Carey (September 29) had given Cecil alarming news from Berwick. The king had nobody to whom he could intrust his personal safety except the Catholics. "There is nothing but peace, and seeking to link all the nobility together, *which I hope will never be.*"[16]

The preachers were as little in love with peace as Carey. Tolerance in religion has become so much a commonplace to recent generations that we can scarcely understand the ferocity which the ministers of the Kirk were to display at this and other critical moments. But their behaviour is intelligible, if we accept the statements, already cited, of Archibald Douglas and of Bothwell. The Catholics may still have been—according to Bothwell, they were—the numerical majority in Scotland. There, as in England, they were denied the exercise of their faith by an organised revolutionary minority. The Indifferents, it is probable (or to the preachers it seemed probable), would openly desert the Kirk as soon as toleration was proclaimed. The Church is infinitely more agreeable than the Kirk to the natural man. Not to speak of the charms of her service, of her music and other ecclesiastical arts, the Church had thrown her sanction over holidays and harmless sports, over all the innocent traditional recreations and mummeries which Stubbes was reviling in 'The Anatomy of Abuses.' Relics of paganism, of agricultural magic, these May-day, or Easter, or Christmas amusements may have been, but all the offence had been purged from them: their original significance was lost, though now in many cases recovered by the researches of Mannhardt and Mr Frazer. To these things, if once toleration was granted, the populace would eagerly revert. They would gladly be emancipated, too, from the inquisitorial tyranny of kirk-sessions, the prurient prying into the details of private morals or absence of morals, a subject to which we shall return. It is the boast of writers who take the traditional view of the Reformation in Scotland, that it raised the moral tone of the country. To do this was the object of the Presbyterian clergy, but their own manifestos constantly bear testimony to their failure. Profanity, adultery, simple fornication, incest, murder, and robbery were rife, and this condition of morals was not peculiar to parishes inadequately served by ministers, or not "planted" with ministers at all.

Thanks to the ministers, education was relatively prosperous, and the University of St Andrews, under a scholar and Latin poet like

Andrew Melville and his "Regents," was perhaps not inferior, in elegance and range of learning, to the same university to-day. But the education, for one reason or another, bore but scanty fruit in literature. In the June of the year with which we are concerned (1593) Christopher Marlowe died in London, a great poet in a throng of great poets. To compare with these what had Scotland to show? Of her poetry in that age, what remains in common knowledge except such ballads as "The Queen's Marie" and "The Bonny Earl Moray"?

Meanwhile the intolerance of the Kirk must have bred the ugly vice of religious hypocrisy. The crypto-Catholics and Indifferents were compelled to a hypocritical compliance with the Kirk. Writers like Mr Froude have applauded the honesty of the Reformers, men who would not pretend to believe in what they deemed to be a lie. But the pretence of this belief was enforced on reluctant Catholics. The coolest and darkest intriguer of the age, Logan of Restalrig, would end a treasonable letter with "Christ have you in His holy keeping." As to the public morals of the age, a whole generation after the Reformation, every page of this book testifies to their unspeakable iniquity. One thing was obvious to the preachers—admit toleration, and, as Hamilton said, "then are we all gone." The country would veer round to the ancient faith: Presbyterian excommunication, that cruel weapon, that "gully of absolute power," would become a jest. The ancient Church would return, and where would the holders of Church lands be? When we look at the patriotism of the persecuted English Catholics, in face of the Armada, we ask why these men were forbidden the exercise of a religion which left them true to their country? It might rather appear that tolerance would remove all temptation to treasonable dealings with France or Spain. The Scottish Catholics could only hope to escape a grinding persecution by aid of foreign Powers. It is impossible to pretend that the Protestants were ethically better men than the Catholics. But the preachers knew their own business. Grant toleration, "and then are we all gone," the Kirk and the lay holders of Church lands in Scotland would be swamped and lost in the reaction, and what the preachers believed to be "the Truth" would perish among men. They were as convinced, and as despotic, as St Dominic.

The king was known to be capable of tolerance, like his mother. In 1584 Father Holt had written, "He has evidently made up his

mind to grant full liberty of worship, provided he can do so consistently with his own personal safety, and the peace of the country."[17] He had especially no wish to alarm the Catholics of England by proving himself a persecutor. Thus, for the preachers, the most drastic measures were a matter of life and death.

Fife, where the two Melvilles ruled, was foremost in the agitation. The Provincial Assembly met at St Andrews on September 25, 1593. Davidson was present—the most irreconcilable of the Brethren. The danger, he said, proceeded from "the defection of the king," who had shaken off Bothwell, that sanctified plague. It was proposed to excommunicate the Catholic earls, who, when undergraduates at St Andrews, must have signed the Confession of Faith. James Melville pronounced the sentence, and delivered them to Satan. All who harboured them were placed under the same anathema. The sentence of these shepherds of the East Neuk was to be intimated in every kirk in the kingdom. A fast was declared to atone for many sins, and the persecution of the English Puritans, and the commercial intercourse with Spain. Three preachers were sent to scold Morton for dealing with idolaters. Home was given into the hands of Satan.

While the preachers thus employed the spiritual weapon, a new and very dangerous conspiracy against the king was rising in the North. Bothwell kept all the country south of Forth in agitation: he was now approached by a group of Northern lords. Atholl on October 8 wrote to him from Dunkeld, addressing him as "My Lord and Loving Brother." He feared that the "Spanish factionaries," Huntly, Errol, and Angus, were likely to win over the king, "to the imminent peril of religion," and to the endangerment of relations with Elizabeth, "that most gracious and benign queen." He therefore advised Bothwell to listen to Henry Locke, the man whom Cecil used in his darkest enterprises. Bothwell was to deal through Locke with Elizabeth, who had in that very week been expressing to James her horror of Bothwell! Atholl added that he would aid Bothwell against James, and that his allies were the Earls of Gowrie and Murray, the Masters of Montrose and Gray, and the Forbeses.[18]

James was not unaware of the machinations of Atholl and Gowrie. They were holding a convention at the Castle of Doune when James made a descent on them. Atholl had warning and

fled: Montrose and Gowrie awaited the king's arrival, "and wer hardlie persevit be the king's companie, and in perrele to have been slayne," had not Lord Hamilton rescued them.[19] Spottiswoode says that Bothwell had trysted with Atholl at Stirling for an effort against the king for October 1; that Atholl arrived, but found that James had gone to Linlithgow, where were Hamilton and other nobles. Bothwell, knowing this, did not "keep tryst" with Atholl, who pretended that he had mustered his men at Doune Castle (the house of the Earl of Moray) merely to hold a court. James did not accept this excuse,—what court needed the presence of Atholl, Gowrie, Montrose, and Moray? Home was sent to reconnoitre, and then took Montrose (and Gowrie, as Moysie adds).[20] (It was at this time, October 8, that Atholl wrote to Bothwell as to dealing with England through Cecil's agent, Locke.) Montrose explained that he was merely a messenger from Atholl to explain to James that they were all engaged in holding a court of justice.

He was dismissed, and the affair passed over at the time; but the intrigues between the Atholl confederacy, Bothwell, and the agents of England endured. Young Gowrie, now an Edinburgh student of sixteen or seventeen, was in 1600 to become famous for the mystery of his death, and his alleged conspiracy. He is already seen as a partner in what might have proved a new Raid of Ruthven. This conspiracy, though it never came to a head, pervaded politics till the summer of 1594, and attempted to place itself under the ægis of the Kirk, to which Gowrie, as became his father's son, was at this time enthusiastically devoted. In part the fear of the Catholics, in part hatred of Maitland, had united the Kirk, England, the adventurous Bothwell, the godly Gowrie, Atholl, and the dark Master of Gray against the king. These combined forces and strong measures caused Huntly, Angus, and Errol to approach the king. They desired to stand trial as to their conduct in the matter of the Spanish Blanks (October 9).[21] They met James, and knelt to him, between Soutra and Fala.[22] If guilty, they would suffer; if acquitted, would satisfy the Kirk or go abroad. They were only accused (as regards the purpose of their signatures, to the blank sheets of paper) by one witness, George Ker, under the boot. They explained that the matter which Father Creighton was to have inserted above their signatures only concerned money owed to them by foreign princes for the subsistence of the Jesuits whom

they confessed to having harboured. So Angus and Errol declared. Huntly's signature, he said, referred to the necessity of allowing his uncle, Father Gordon, to leave the country; and he had Father Gordon's attested statement that his blanks bore no other sense. George Ker, under torture, had declared that the blanks were to be filled up with the conditions on which Philip of Spain would invade Scotland, and Fintry appears to have corroborated.[23] James gave to Elizabeth the account of the blanks put forward by Angus, Atholl, and Errol (December 7).[24] This did not satisfy her. Yet, as late as October 11, Angus, Huntly, and Errol wrote to her thanking her for "her gracious acceptance of their suits," and begging her to "continue her princely favour."

So far the proposals of the earls had an appearance of candour. They would stand trial, as Bothwell had recently done. But, according to the custom of Scotland, trial in such affairs was a mere trial of forces. Knox, Murray, Lethington, and Bothwell, we know, when engaged in such circumstances, appeared attended by large levies of armed supporters, and justice was overawed. If the earls were tried at Perth, as was their wish, they would be backed by all the Hays, Gordons, and perhaps Douglases, who could mount a horse and wield a spear. By October 18 they had mustered their men.[25] James told the Protestants that he would be answerable for order on the day of law: "such as came undesired should not be welcome."[26] The preachers, however, summoned their own supporters, "bodin in feare of warre"—that is, fully armed. All were to meet at Perth on October 24. The fiery cross (metaphorically speaking, for the actual symbol is idolatrous) was sent round to all the kirks. A Committee of Kirk Safety, twelve preachers, sat at Edinburgh. James refused to acknowledge conventions held without his orders. The assemblage of such armed bodies of partisans was one of his main grievances against the Kirk. The earls' forces were meeting at Perth, where Atholl and young Gowrie, a true chip of the old Ruthven block, were inclined to keep them out. There was every prospect of a battle royal at Perth, which would have been the focus of all feuds and an Armageddon of the Kirk. Humes would have met Hepburns; Kers, Hays, Gordons, Forbeses, Stewarts, Grahams, Ruthvens, Campbells, Mackintoshes, with burgesses and lairds under Andrew Melville, would have been let loose at each other's throats. We may almost regret that James, as it were, threw down his baton and

cleared the lists. In the same way the Regent Murray had deferred the trial of Lethington when the forces were gathered at Edinburgh for the fray. The king forbade the trial. He may have heard of a plot to kidnap him, described by Carey to Cecil.[27] The godly of Edinburgh, armed with muskets and pretending to act as a Royal Guard, were to hand James over to Bothwell, who acted with "the Kirk, barons, and boroughs." The Catholic earls, unattended but unmolested, must therefore wait at Perth, and be examined later before a commission of nobles, burghs, and the Kirk. The preachers had demanded their imprisonment, "according to the lovable laws of Scotland." But who was to imprison them? The attempt would only have entailed the battle royal, which was not to be.

Meanwhile (October 22) the Catholic earls, through Archibald Douglas, were still in the treaty with Elizabeth, and had written a letter of thanks to her.[28] Our old friend, Lesley, Bishop of Ross, had suggested that religious tolerance should be proposed in the Scottish Parliament, so Archibald Douglas writes; but (October 29) Elizabeth was threatening James for his tardiness in punishing the earls,—she had declined to intercede for them, and was working through Locke on Atholl, Bothwell, and Gowrie. Meanwhile James "drove time," or procrastinated, and assemblages of partisans in Edinburgh during the convention appointed for November 12 were forbidden. The meeting was scantily attended, the ministers were not encouraged.

On November 26 a compromise as to the Catholic earls was attempted, and an "Act of Abolition" was promulgated. By February 1, 1594, all subjects were to profess themselves Presbyterians. Those who could not do so "in conscience" (a dangerous term, the thin end of the wedge) were to depart abroad, retaining their estates, and were not to be outlawed. The story of the Spanish Blanks was to be dropped, unless the accused relapsed into treasonable dealings abroad. The Catholics were to have preachers planted in their households to convert them, and were to send away the Jesuits, under heavy pecuniary guarantees. Acceptance of the arrangement must be made before January 1, 1594. The preachers denounced this sinful attempt. What! were idolaters to be allowed to worship Baal abroad and yet retain their property? In the privileged Canaan of Scotland (December 6) the Maxwells and Johnstones had a great clan battle on Dryfe sands, and Lord

Maxwell was slain. From the pulpit Bruce threatened James: "his reign should be troublesome, *and short*," if he did not abolish his Act of Abolition.[29]

We know what such prophecies meant: they had a way of securing their own fulfilment. Elizabeth wrote an angry reply to James's letter about the pleas of the earls. Had he not permitted George Ker, their messenger, and the witness against them, to escape? James had, in fact, just hanged one Smeatoun through whose aid the escape was effected. Elizabeth now sent Lord Zouche to Edinburgh (January 15, 1594), and Zouche instantly began to intrigue with Bothwell's ally, the Master of Gray. Zouche's purpose appears to have been to unite the Northern conspirators, Gowrie, Atholl, the Masters of Gray and of Montrose, with Ochiltree, Bothwell, the Johnstones, fresh from victory over the Catholic Maxwells, and with the Kirk. This powerful combination would seize the king as usual, oust Maitland and Home, drive the Catholic earls to ruin, and avenge the bonny Earl. The scruples or the avarice of Elizabeth stifled the plot.[30] Meanwhile she would not incite such proceedings, but would protect the enterprisers. Yet (January 4, 1594) she had written to deny that Bothwell was harboured in England by her permission.

The Act of Abolition, so odious to the godly, was now withdrawn; the Catholic earls had declined the terms, on the plea of being unable to find sureties. While Elizabeth's envoy, Zouche, was arranging a civil war on a great scale for Scotland, in which the Stewarts and Ruthvens, under Atholl and Gowrie, should combine with the sanguinary Johnstones of the Western Border, and Bothwell, Ochiltree, and Montrose, to attack Home, Maitland, and the Catholics, Prince Henry was born at Stirling (February 19, 1594). The event was welcome to loyalists, and, to use a phrase current at that period, it "was nuts" to the Brethren. They had long felt it as a heavy cross that there was nobody except James to kidnap, —no feasible successor who could be set up against him. But now there was the baby, who might be captured and used to James's prejudice, like the Prince against James III., and James himself, as an infant, against his mother. The proposal was at once made to the English envoys of Elizabeth, but Elizabeth discouraged it in a letter from Robert Cecil to Locke, her agent with the godly (March 4).[31] Zouche was told that he had shown *trop de zèle*. Locke was warned not to carry any compromising papers about

him. "The proposal to follow the king into the Castle of Stirling" (where the royal infant was in the charge of Mar), "and to besiege the castle, makes her majesty a little careful to prevent so dishonourable and so unjustifiable a course, mean they ever so dutifully."[32] "They" are probably the Atholl and Gowrie gang, as Stirling was well within their reach. Elizabeth, in fact, would not part with her money.[33]

It had, however, been arranged that Bothwell should muster men, English and Scots, and invade the country on two pretexts. "The ane was, with help of the kinsmen and ministrie, to banish the Catholic lords from the realm of Scotland." The other pretext was to avenge the bonny Earl. The author of 'The Historie of King James the Sext' (John Colville, as is supposed) acknowledges that England was aiding Bothwell, and that James arrested one of Zouche's suite, who, by that ambassador's command, had dealt with Bothwell. To check his advance, Home, Cessford, and Buccleuch were stationed at Kelso, and a general levy was proclaimed.

The preachers, in *daily* sermons, did what they could to hamper the king in his peril by preaching against him, and prophesying evil. When he asked how he could leave Edinburgh defenceless by marching against the Northern Catholics, they offered to pray for him! For some reason Kelso was evacuated by Buccleuch, and occupied by Bothwell on April 1. Next day he reached Dalkeith, and was in Leith on the 3rd of April. To conciliate the preachers, James promised, in church, to march against Huntly when he had settled Bothwell. A few nobles, and the town, a disorderly array, then went out against that hero, who moved southward, slowly and in good order, lest his line of retreat should be cut. The royal levies thought that he had fled, but their patrols were driven in when they attempted to occupy a hill near Woolmet: Bothwell then charged, and drove the Royal Guard in rout, the infantry flying to Craigmillar. Within half a mile of James's position on the Borough Moor Bothwell's trumpets sounded the retreat, and he lay that night at Dalkeith. Probably he could have entered Edinburgh, but the castle he could not have taken, and there was no sign of a popular rising in his favour. He certainly bore off the honours of the day, with many prisoners, whom he released. He issued proclamations gratifying to the godly, and awaited another opportunity.[34]

John Colville at once (April 6) wrote to Cecil, telling "how

courageously and reverently" Bothwell and Ochiltree had behaved. They did not press their victory, out of respect to James's person. He makes it pretty clear that Bothwell was disappointed of the aid of the Atholl-Gowrie contingent. "They have been tardy and slothful who have promised"; he thinks that perhaps the "letters of advertisement" to them were intercepted. Carey writes that Atholl was expected with 2000 men. Colville puts himself at Elizabeth's disposal "as her born subject."[35] There is an undated address of Gowrie, Bothwell, Atholl, Ochiltree, and Murray to "the Reverend Pastors of the Kirk presently assembled at Dunbar," to announce their rising in arms against the Spanish faction, and requesting the preachers to take record of their proceedings.[36] It is even said, in 'The Chronicles of the Families of Atholl and Tullibardine' (i. 51), that Atholl was present at the Raid of Leith (April 3) with Bothwell. He was denounced rebel (April 26) for not appearing to answer concerning his dealings with Bothwell.[37] Hunsdon, who knew about the plot, could not learn that Atholl "or any other of his confederates" had appeared in arms (April 7).[38] From a letter of John Colville to Locke (April 28) it appears that Atholl and his party deemed that their success and Bothwell's was impossible, if James really meant (as he had promised) to "pursue the papists." Cecil had advised the Atholl-Bothwell party to await events, and they would not act violently "unless Atholl be pursued."[39] On May 3 Colville complained that both England and the Kirk had advised delay, to them and to Atholl, till James's intentions as to the Catholic earls were thoroughly known. Many of Bothwell's horses had died; his party meant to assemble at Hexham.[40]

By July Atholl had been appointed one of James's lieutenants to pursue Huntly with fire and sword, and by August his brother-in-law, Gowrie, had retired to Padua, there to prosecute his studies. Thus the Atholl-Gowrie branch of the Bothwell-Ochiltree confederacy was broken off: its existence was due partly to Elizabeth and Robert Cecil, partly to family feud against Huntly, partly to hatred of Maitland, and in part to Protestant excitement. Had the Northern lords warmly backed Bothwell at the Raid of Leith he would probably have triumphed. The Kirk had temporised, but now one of its members gave James some trouble.

There was a preacher at Perth, named John Ross, who dealt very plainly with James. He said that there were many traitors, but the

king was the chief. "We never got good of the Guisian blood, for Queen Mary, his mother, was an open oppressor of the saints of God." When examined on this historical statement, he admitted that he remembered no persecutions by Queen Mary; doubtless he had thought it a safe remark to make, on general principles. James was "a reprobate king," and (which was true) "a dissembling hypocrite." How the ministers looked on Ross's performance is not very clear. The author of 'The Historie of King James the Sext' says that Ross was examined before certain select ministers and the king's commissioners. "The whole number of the Assembly" (including the king's commissioners?) "approves his whole doctrine,"—as to his threats of judgment and rebukes,—"except in such heads as seem to be most offensive."[41] The author sympathises with Ross. But he has only made an excerpt from the judgment of the Assembly which "admonished" Ross because the occasion of his sermon might have made it appear that the Kirk sided with Bothwell; because he produced a sentence against the House of Guise, *de futuro*, and because he was harder on the king than his own years and experience warranted. Ross was therefore warned to speak at all times reverently of his majesty. This was the decision of the General Assembly, and Ross's reluctant and guarded apology was the result. But there had been an earlier inquiry, on May 1, in Mr Robert Bruce's garden. Here, too, Ross was admonished; "some of the brethren thought it hard to say that the king should die in blood for sparing the shedding of blood, yet others justified it, that 'it was agreeable to the Word and common experience.'"[42] Apparently James was not satisfied, for 'The Historie of King James the Sext' adds that "as he could not be avenged on Ross by any ecclesiastical law of theirs, or municipal law of his own," he, by advice of his Council, banished Ross from the realm. This Ross was a kinsman of Bothwell on the Hepburn side. He avowed a desire to see all papists hanged.

If we consider the state of affairs when Ross preached, and the dangers from the Atholl-Bothwell confederacy, his sermon has much the air of a provocative to assassination. There were preachers who justified his words about James "dying in blood." Though the general sense of the Assembly did not carry it to the length of approving of Ross, he was certainly let off very lightly, without even a sentence of temporary suspension. Dr M'Crie states the matter thus: "They censured a preacher of the name of Ross, who had

been guilty of this offence"—that is, of "rash or irreverent speeches against the king or his Council."

We have given fuller details, and dwelt more than may seem needful on these performances of the ministers of religion, because they show the nature of the relations between Kirk and State. Were they endurable relations? Could the king oblige Mr Ross by hanging perhaps the majority of his subjects? Had he more power than his ancestors possessed in the way of forfeiting some of his most potent and least accessible nobles? Was it feasible for him to capture men who, if defeated, had the roadless retreats of the Highlands behind them; and was this action specially possible when Bothwell was threatening the capital? It was in such circumstances that the clergy, when consulted, so mildly "admonished" the preacher of a sermon which was, at the least, bitterly insulting, and in some places provocative of those murders of kings familiar "to the Word and common experience." As James's reign was the prelude to a terrible civil war, provoked in great part by royal retaliation on the ministers, it appears desirable to leave no doubt as to the conduct, the ideals, and the aspirations of the Brethren. It may be said, on their side, that they merely represented "his majesty's Opposition"; that, in the absence of the press (which, however, dealt in scurrilous pamphlets and ballads), the pulpit was the only place where freedom of speech was possible. But neither a parliamentary Opposition nor an advanced Liberal press pretends to be inspired by "the Spreit of God," and finds its claims accepted by its party. This pretence the preachers did make, therefore they were dangerous to an intolerable degree, and the perils caused by their pretensions were the direct source of James's equally unjust repressions.

Turning from his clergy to the eternal disturber of his country, Elizabeth, James was able to answer her letters in her own style. She had been surprised, wondered whether she dreamed or not. James also asked whether there were visions about. Bothwell had not only been harboured in England, but had received English gold, and had raised English soldiers, proclaiming his rate of pay at English parish churches. He had appeared at Edinburgh, and had led his troops back, with banners displayed, to English ground. Where were Elizabeth's many promises not to receive Bothwell? In what had James deserved her anger? His one offence was that he had not dealt with certain of his own subjects in such form and at such time as Elizabeth, in his place, might have deemed fitting.

He had sent Zouche back with scant courtesy, reckoning him rather a herald with a challenge than a friendly ambassador.[43]

The General Assembly met in May, made their usual complaints, and produced a pleasant piece of folk-lore, "the horrible superstition in not labouring a parcell of ground dedicated to the Devil, under the name of 'The Goodman's Croft.'" We may conjecture that, the devil being addicted to sowing tares, it was thought well to leave him a "poffle or pendicle" of ground where he could exercise his industry. On May 30 Parliament forfeited Angus, Errol, and Huntly, but Mr Davidson gave "a free rebooke of all estats." He accused the preachers of greed, and of "winking at the profaning of the Sabboth day" (Sunday). He drew a parallel between James and Charles IX. of France, the man of the Bartholomew Massacre: the parallel was rather in favour of Charles. Charles had been kind to Coligny and the Huguenots, kinder and more promising than James was to his Protestant subjects. Yet Charles had massacred the Huguenots on a large scale, and therefore it was well to keep a watchful eye on James.[44]

We must remember that the Brethren lived in constant fear of a popish plot and a massacre. This appears curious, for we are apt to suppose that Edinburgh was entirely Protestant. Davidson declared, however, that he "feared the multitude of Edinburgh . . . more than I fear the Court." This looks as if, while the richer citizens were orthodox, the Reformation had not really touched Knox's old allies in mischief, "the rascal multitude."

Though forfeited, the Catholic earls were passing their time "in great jollity," and Huntly continued to make new buildings at Strathbogie. Bothwell was in poverty in Liddesdale, and already it was rumoured that he would join the Catholic earls. A ship from Spain arrived at Aberdeen (a report in the 'Spanish State Papers' says that it contained a papal subsidy of gold for the king). The barque was taken by the citizens, whom Huntly terrified into surrendering the passengers by threats of fire and sword, while he seized the money *meant for his sovereign!* This is alleged in a strange legendary report sent by an anonymous writer to Spain, but the document is full of wild myths and romances (July).[45] *

* It seems to me very improbable that the money "from Pope Clement VIII. to the King" was really destined for James with his knowledge. The authority cited by Mr Hume Brown (ii. 217, note 2) is 'Spanish State Papers,' iv. 590. That document is not only anonymous, but is sheer mythology. In my opinion

Meanwhile James prepared for war in the North, and granted a commission of lieutenancy to Argyll and Atholl, who, according to Colville, was as much a traitor as ever.[46] In the defect of a police force, or of a regular army, it was the practice, when one noble or chief was contumacious, to give another noble "letters of fire and sword" against him, and Huntly is said to have had some such commission against the bonny Earl Moray. The preachers and burgesses of Edinburgh were now asked to raise "waged men" for the Northern raid, which they did with some reluctance. War was delayed till the *infant* prince had been baptised at Stirling (August 30), where Sussex represented Elizabeth. The festivities included the usual fantastic pageantries, and James vexed "good men" by wearing his French order of the *Saint Esprit*.

James and Elizabeth were now on the best terms. Bothwell was bidden to leave England. On July 30 he had let Cecil know, through Colville, that the Catholic lords had been soliciting him. They offered 25,000 crowns if he would come over to them, and bring the Atholl-Gowrie party with him, and abandon Colville. He waited to know Elizabeth's mind: as for the money (Spanish, no doubt), if he did not take it, Home would. He proposed, if Elizabeth agreed, that he should accept the 25,000, and then use it "for pursuit of the said papists" who gave it, while Elizabeth might pay back the papists. Bothwell wished Colville to put this remarkable proposal to Cecil as an abstract question in casuistry, "an A B case" of conscience: "May A, to whom B (a papist) offers money for his alliance, take the money and use it against B?" Colville asked Cecil to answer in the abstract form, that Bothwell might think Colville had so stated it. Colville added that James rather thought Prince Henry to be the son of one of his courtiers, probably of Lennox. A Darnley and Mary quarrel, he said, was at hand.

This Colville, at whose wedding John Knox was present, is a

Father Gordon, Huntly's uncle, had persuaded himself that he might persuade the Pope that James, if supplied with gold, would be converted, and later, persuaded himself that Huntly was a worthy recipient of the ducats. Major Martin Hume's 'Treason and Plot' (1901) may be recommended to readers curious in these intrigues. I am not as convinced as Major Hume that James was deeply concerned in them; and, if he was, he only sought preservation from the disgraceful intrigues of Elizabeth, and of the factions whom she suborned in Scotland. The King, naturally, wished to protect his powerful Catholic subjects from persecution, and to escape from Elizabeth's *spadassins*, Bothwell and his adherents. He also needed to know what his Catholic earls really intended.

fairly representative scoundrel of the period: his later fortunes were such as he deserved, but the interesting point is the use of such abominable tools by England.[47] In September Colville had to report that "unhappy Bothwell" was not running a straight course with Elizabeth, but was off to meet Huntly. This deeply grieved a professor so earnest as Colville, who could only hope that "the Lord would send light out of darkness." So sincere a Protestant as Colville could no longer be a partner with one who had joined himself unto idols. He went to Edinburgh on September 12 and wrote a letter of farewell to his old master. The Earl had openly said that Colville meant to betray him (which he probably did intend), and Colville was hurt. But he had got Bothwell cleared of "the odious imputation of witchcraft," he said: and who but he had given tone to Bothwell's enterprises in general? Colville had often hazarded his body for this ungrateful patrician, "but God only knows how far I hazarded my conscience in making black white and darkness light for your sake." That was what Colville felt most bitterly. He therefore proposed to seek James's pardon, "spending the rest of my days quietly in the fear of that gracious and omnipotent Lord," with other canting phrases.[48] To James next did Colville write, likening himself to a dead dog, and addressing the king as "Oh, Glory of Albion!" He quoted Ovid and the Bible, and rather impiously likened James to the Founder of Christianity. He simply wallowed in remorse and abject apology.[49] He reported to Cecil the shameful backsliding of Bothwell. But a few months ago, to quote Moysie, "all the ministry favoured the Erle Bothwell, thinking him most meit to be chiftaine for the professoriris," and now he had joined the idolaters.[50]

We know what Bothwell had been doing. He had met the Catholic lords in Angus; his messenger, one Orme, was caught, and a proclamation of September 30 disclosed his iniquitous intentions. He was to make a raid on Holyrood, seize James, shut him up in the Keep of Blackness, raise the Borderers, and capture the Northern castles.[51] Home, Cessford, and Buccleuch had taken his lands, and would make the Border too hot to hold him.* Colville

* The man who had led Bothwell to this course was "Mr Thomas Cranstoun." A person called "Mr Thomas Cranstoun" came home with Gowrie from France in 1600, and was hanged for the Gowrie Conspiracy of that year. He, however, "lest suspicion be taken from his name," averred that he had been abroad since 1589. The Cranstouns at this time were usually of the Kirk party.

wrote thus on September 16. On August 20, three weeks earlier, he had informed Cecil that Bothwell was offering Lennox 1000 crowns to pay men to seize James, and that Lennox had induced Mar to join the plot. The other plan was to allure James away from his retinue, "when he hunts his bucks in Falkland." "The captain of that house has promised us, any morning we please, to draw him out with the huntsmen only to any part of the wood we please to hide ourselves into."[52] This plot is much akin to that of the Gowrie Conspiracy (1600), by which James was to have been allured away from the chase in the woods of Falkland. Probably Lennox, an honourable man on the whole, declined to take part in these proceedings. We have to note, however, that Robert Cecil was hardened in such iniquities. It was when he failed with the Protestant or Indifferent Lennox that Bothwell threw himself into the arms of idolaters, to the consternation of the godly Colville, and with them he was still hunting the king. As Bothwell was now a lost sheep, Elizabeth abandoned him, and Colville was bidden to seek a pardon from James. This he obtained: we have seen in what terms he asked for it (September 30), and he assures Cecil that now he will be a more useful spy than ever! He did not say what he had offered "for his peace," but Ochiltree had offered to catch Angus. What Mr Colville offered will presently appear: it was the blood of Bothwell's brother.[53]

As for Bothwell, he tried to propitiate the Kirk; he explained that though now leagued with papists, it was only in his temporal interests.[54] On October 3 the forces of Argyll, going in advance of the royal army, encountered those of Huntly at Glenrinnes, in Glenavon. Argyll, a lad of nineteen, had the slaying of the Bonny Earl to avenge. His force of 6000 men was, in part, a light armed Highland levy, and he had neither cavalry nor guns. "The Highland men are naked men," says a much later ballad: they were no better equipped with defensive armour now than at Harlaw or Killiecrankie. Mackintosh was with Argyll, and all Clan Gilzean. That day one of the chiefs of the Macleans "undoubtedly played the man," says a letter quoted by Calderwood. The Macleans were the Spartans of the North; down to Drummossie day it was their motto and practice never to turn their backs, but conquer, or die with their faces to the foe. Such was their ancient and honourable tradition, which many a time left them a weakened people. Clan Chattan was divided; the Macphersons held Ruthven Castle for

Huntly; Clan Gillivray and the Mackintoshes were with Argyll. Huntly, like Mar at Harlaw, had a force far inferior in numbers, but well armed, well mounted, and provided with six guns—weapons of which the Celts stood in some awe, as being unfamiliar. Argyll, wisely, was anxious to await the arrival of the more regular forces, cavalry, and artillery of James. Huntly, however, sent out a cavalry patrol, which cut up the skirmishers of Argyll and reconnoitred the position of his main body. With Argyll naturally was the first cadet of his house, Lochnell. He, it will be remembered, was a partner of Huntly in "the great band" for the murder of Campbell of Calder, of the bonny Earl of Moray, and of Argyll himself. Moray and Calder had been slain in February 1592. Now was Lochnell's chance to betray Argyll to the same fate.

Lochnell, if we may believe a letter cited by Calderwood, had expected to lead the van. He therefore arranged with Huntly that he should direct his whole artillery on the yellow flag of the clan, under which Argyll himself would be stationed. Lochnell would then take to flight, which would lead to the flight of his vanguard, and the ruin, probably the death, of Argyll. But Argyll, instead of letting Lochnell lead the vanguard, kept him beside his own person, under the yellow standard, which had formed no part of his ingenious scheme. Either by the artillery-fire, or in Huntly's charge on the yellow standard, Lochnell was slain, and a great number of the Campbells turned and fled; but the main body occupied a hill-top, beneath which lay a morass, while the sun blazed in the eyes of Huntly's and Errol's cavalry. Errol turned to avoid the marsh and outflank the enemy, but Auchendown, making a frontal attack, saw his men mowed down by the arrows and musket-balls of Clan Gilzean, covered as they were by a coppice. Nevertheless Gordon of Auchendown pressed on, charging up-hill; but he was shot, and the Celts cut off his head. Huntly's force was now enclosed between the Macleans and the Campbells, but he led a desperate charge to extricate his vanguard. Now Maclean, plying a Danish battle-axe and wearing heavy armour, cut his way to Huntly's standard, which he captured, slaying the man who bore it. Errol was wounded by a bullet and an arrow, Gordon of Gight was slain, Huntly was unhorsed, but remounted, and led a fresh charge. On this the Campbells who had stood fled, while Argyll wept for the dishonour of his name. The victory, after heavy loss, remained with Huntly: the Macleans retired in good order, but Argyll's camp

fell into the enemy's hands. In a report to Spain Huntly has only thirty-seven men, who kill 500 of Argyll's force, losing only one man wounded—a miracle.[55]

It was on the day after this gallantly fought affair that James rode out of Edinburgh, Morton being left in command of the town. The Melvilles, by James's desire, accompanied him, "because the people were jealous of him." Nor was James Melville satisfied. Huntly's force, sorely shaken by their losses at Glenrinnes, dispersed, and James occupied Aberdeen. But money was needed for the forces, and James Melville was sent to Edinburgh to procure supplies. He was to announce that James would burn the castles of his foes, yet "moyen was maid" that they should be spared. However, the arguments of Andrew Melville prevailed, Strathbogie and other seats, Errol's, and the houses of some Gordons and Ogilvies, were demolished.[56] This was not enough for James Melville. The royal raid ended for lack of supplies, and, says Melville, "when all was done, little sound meaning and small effect further was produced." The king returned to Edinburgh, Lennox remained at Aberdeen in command, and many barons and chiefs, the Earl Marischal, Lovat, Grant, Mackintosh, and others came under oaths of loyalty.

Though the Catholic earls and their new associate, Bothwell, were practically broken, the state of the country and of political factions was purely chaotic. While the earls were gathering head again, and it was found necessary to reinforce Lennox in the North, Argyll was mustering his forces anew (December 12).[57] Smarting from the shame of his defeat at Glenrinnes, he had discovered the whole secret of the great band, the complicity of Ardkinglas, and the treachery of Lochnell, which fate had so strangely avenged. He would take further vengeance himself upon Huntly's country and his own faithless clansmen and allies. In many districts there was "much blood shed, and many horrible murders were committed; the son slaying the father, one brother the other, and brothers' sons killing each other, thieves spoiling and oppressing, and men daily ravishing" (probably abducting is meant) "women; but no execution of justice, either by the king or the inferior magistrates," says Calderwood.

It was not possible for James to execute justice, if he had been so inclined, for want of force, and the cause of want of force was want of money. At any time Elizabeth could have secured a peaceful

Scotland, at great advantage to her own revenues, by a subsidy of some £20,000 annually. But she preferred to pension traitors, and James, having done her work in the North, was now refused £2000 which had been promised to him. He was naturally annoyed, and sent Colonel Stewart on a fruitless search for assistance in the Low Countries (December 12).[58] In her habitual avarice Elizabeth fostered the many troubles of Scotland. Money she would supply to James's rebels: to himself she grudged or denied it, thereby doing her best to throw him on the side of Spain, and to cause the very dangers which it was essential to her to prevent. Nevertheless James arrested Argyll in the midst of his enterprises of vengeance and spoliation, warding him for a time in Edinburgh Castle. Calderwood, who grumbles at the defect of justice, also grumbles at the detention of Argyll as a mere pretence for extorting money.[59] James (January 29, 1595) summoned a convention of nobles and endeavoured to alleviate the condition of the people. His "waged men" had disbanded for want of pay, and he was almost as helpless as usual.[60] Atholl as well as Argyll was "warded."

Moved by the king, however, the preachers at last agreed to excommunicate Bothwell (February 18, 1595). He had shown his true colours by leaguing with papists, *hoc nocuit*. We must not regard all of the Kirk as official allies of Bothwell. James Melville openly denied that he had ever dealt with him. Others sympathised with him, and he had skill in flattering the Brethren. Regarding him as a "sanctified plague," they had done little or nothing to check his popularity or impair his successes, for he used the pretext of avenging the Bonny Earl, and of earnest Protestantism. The noted intriguer, John Colville, the agent of the exiled earls after the death of Gowrie, now betrayed Bothwell's natural brother, Hercules Stewart, who was hanged (February 18).[61] In brief, Bothwell's meteor course was run, and after skulking about the country, and attempting to imitate the piratical career of his uncle, Queen Mary's Bothwell, in the Orkneys, he fled to France. A man of courage, enterprise, wit, and many accomplishments, he had all the Hepburn ambition, with all the charm of recklessness. His ambition was boundless, but crossed by a madcap vein which frustrated his desires. From the queen to the lowest of the people he was popular, and, among so many ruffians, he alone had a touch of what is genial, sympathetic, and boyish. He, at least,

would gladly have avenged Queen Mary, donning armour as the most suitable mourning. From the Continent he kept vexing the king with fears of change, and before August 1600 was urging Philip to invade Scotland.

Huntly still lingered in the North, but his plans were ruined (March 25) by the arrest of a Jesuit, Father Morton, who had landed at Leith, from Spain. He brought no money, but rather rebukes for the ill use to which previous supplies had been devoted. James treated Father Morton with a gentleness which Father Creighton later applauded. Morton gave a jewel, representing the crucifixion, to the king: James is said to have remarked that, on account of the minute scale of the work, he could not kiss the crucifix without kissing the thieves and the soldiers. It is said that the preachers desired to have Morton tortured. Calderwood does not mention this: Father Creighton praises the king's humanity.[62] In the ruin of the Catholic cause, Errol, Huntly, and his uncle, the excellent Father Gordon, now took ship for the Continent. Probably James kept on terms with them, and their retreat was an arranged affair, as their party informed the Spanish Court.

A domestic trouble was next added to the confusions of the State. The queen had for long been the enemy of Maitland: the cause was said to be a dispute about the ownership of lands at Musselburgh, but there were probably other causes of resentment. Maitland, however, had lately paid court to the queen, and had backed, or inspired, her wish to remove the child prince from the governance of Mar, whose ancestor had kept good watch over James himself when a child. Allied with the queen and Maitland were Buccleuch and Cessford, great chiefs of the reckless border spears. They had expected Bothwell's lands, and, says Colville, had been disappointed.[63] It was believed that they entertained the somewhat conventional design of kidnapping the little Duke of Rothesay for their own political purposes: Maitland, we know, was capable of anything; and Cessford and Buccleuch were disappointed men. The murder of one of Mar's men, on account of a love affair, led to a great demonstration by Mar, and it was expected that Buccleuch and Cessford would give him a meeting.[64] The quarrel about the prince lasted from April into August, James siding with Mar and opposing Maitland. The queen was again about to be a mother, and was in a fretful, perhaps hysterical, frame

of mind. At the end of July she was ill, and Nicholson, the English resident at Edinburgh, tells us that James suspected her of feigning a malady, and of merely desiring to bring him to her from Stirling for some evil purpose. Melville, however, found that the queen's ladies believed her to be really ill, and James hurried from Stirling. He found her majesty with Buccleuch and Cessford! James had his room carefully guarded, and sent for Robert Bruce and other preachers as advisers. Meanwhile the queen was suspected of trying to keep James by her that he might be kidnapped in the usual way. Buccleuch, the bauld Buccleuch of the Kinmont Willie ballad, was thought to favour this course.[65] But Maitland, now nearing his end, ill and old, lost nerve: James rode back safely: Mr Galloway admonished the queen in a sermon, and the royal pair were reconciled (August 15).[66]

On August 25 Maitland's illness was serious: Buccleuch and Cessford had him at their mercy, they knew so much of his designs: and his malady was thought to be diplomatic. He died on October 3, much concerned, and with good cause, about his soul. Calderwood takes rather a favourable view of his spiritual estate, though "his practices, at his first entry to Court, were very pernicious and offensive to the godly many years after. . . . He granted, at his death, that he had greatly offended that man of God, Mr Knox," perhaps on the subject of the amusing skit on Knox, Murray, Wood, and other brethren, a shaft which certainly came out of the quiver of the witty House of Lethington. This jest does not seem so much matter for contrition as Maitland's alleged share in Darnley's death, and alleged partnership in "the great band" for the murder of Calder, Argyll, and the Bonny Earl. What his latest design, in company with Buccleuch, may precisely have been is not certain, but doubtless it was on the old lines. None the less, and despite his confederacy with Huntly, Maitland had been a Protestant, and no enemy of England. James is said not to have regretted the loss of his old adviser.

Maitland founded the House of Lauderdale, which later gave Scotland a famous statesman. At this very time we first meet Archibald Primrose, an intriguer with John Colville and Elizabeth's Ministers. Here first appears in affairs the ancestor of the House of Rosebery. While new men arose, Atholl died (September 22). By the end of the year the strife between Mar and Buccleuch and Cessford was appeased, and Buccleuch was received at Court. The

Scottish queen later threw all the blame of the quarrel about her child on the dead Maitland, insisting that she had warned James, and preserved him from an attack on his person.[67] The queen's biographer, Miss Strickland, takes a less favourable view of her conduct. In origin the affair was a nursery cabal which politicians used for their own purposes. But James came better out of the contest than his unfortunate and exiled descendant, James, eighth of the name, was to emerge from a similar affair (1726). Anne was already suspected, we learn, of idolatrous tendencies, fostered probably by Lady Huntly and others of her intimates.

The autumn had been notable for the Irish rising of Tyrone, who was to have been backed by several thousand warriors from the West Highlands and the Isles. Maclean of Duart, who wielded the battle-axe at Glenrinnes, had the address to capture large numbers of the Highland auxiliaries under Clanranald, and with the aid of Argyll relieved England from a considerable danger. He found it much more difficult to extract from the avarice of Elizabeth a trifle of 2000 crowns for his expenses. An incident of local interest was a heroic "barring out" at the High School of Edinburgh in September. "The little boys began to shoot and stab." Docked of half their holidays, a poor fortnight, the boys held the school, the old building on the site of the Blackfriars, near Kirk-o'-Field. An impetuous bailie, Macmorran, led a charge against the doors with an improvised battering-ram, and was shot by William Sinclair, son of the Chancellor of Caithness. The main interest to us is that Sir Walter Scott as a boy may have known "the bailie's window," whence the shot was fired.

In August of the year there had been trouble with a preacher presently to become more notorious. This was Mr David Black, of St Andrews. He was accused of speaking ill of Queen Mary, and an effort was made to convict him before a mixed and informal commission. Andrew Melville interfered in his usual masterful way, but James Melville smoothed the matter over. He alleged at St Andrews, in a sermon, that Mr Black "had commended his majesty's mother for many great and rare gifts, and excellent virtues." If Black did this, it is unfortunate that his sermon has not been preserved. He "very sparingly and soberly had touched the truth of the judgment of God which had come on her for resisting the wholesome admonition of the Word of God." Everything considered, common decency should have warned Black

against raking up the history of his king's mother, or of any living man's mother, and the Brethren seem, provisionally, to have come into this opinion.[68]

The ministers were still very sensitive about the Catholic earls. Their wives were practically left in possession of their property: movements of Catholics, involving feuds, were common in the North, and a new Spanish invasion was apprehended in November. The exiled earls were in the same position as the Hamiltons and the Ruthven raiders had been when banished: it was certain that they would come back sooner or later.

James in November 1595 was playing the part of Protestant Hero, and ordering a universal "wapinschawing," or review of the whole armed forces of the country, all for "the defence of the kingdom against the detestable conspiracy against Christ and his Evangel presently in readiness."[69] The wapinschaw, when it did occur, exhibited a mournful array of "Guse Gibbies."

The death of Maitland left James free to manifest his own powers and policy. He denounced the carrying of pistols: he demanded a list of all "horners" (outlaws), which he never got: "he will let them know that he will be obeyed and reverenced as a king," and will suffer no more blood-feuds to run their sanguinary course.[70] He might as well have tried, like Canute, to make the waves "reverence and obey" him. He was backed by no force of men or money. A generous gift of a purse of gold from the queen on New Year's Day 1596 much astonished James. Whence came that rare metal? he asked, and her majesty praised her household financiers, Alexander Seton, the President; Lindsay, Elphinstone, and Thomas Hamilton. James resolved to employ them in Treasury matters: Seton throve to be the great Chancellor, Dunfermline; Elphinstone, as Balmerino, had a remarkable career of favour, with a mournful end; and Hamilton, popularly styled Tam o' the Cowgate, flourished as King's Advocate, was created Lord Binning, then Earl of Melrose, and founded the existing House of Haddington. The anecdote of the New Year's purse of gold is related by John Colville.[71]

NOTES TO CHAPTER XIV.

[1] Border Calendar, i. 490; August 15, 1593.
[2] Sir James Melville, pp. 414-417; Calderwood, v. 256, 257; Spottiswoode, ii. 433, 434; Border Calendar, i. 481-484.
[3] Border Calendar, i. 491. Calderwood, v. 257, 258.
[5] Spanish Papers, iv. 588, 613, 614. [6] Border Calendar, i. 490 *et seq.*
[7] Border Calendar, i. 486-488. An account of the trial.
[8] Border Calendar, i. 488, 489.
[9] Calderwood, v. 259; Border Calendar, i. 493.
[10] Calderwood, v. 269. [11] Hatfield Calendar, iv. 363.
[12] Thorpe, Calendar, ii. 634. [13] Border Calendar, i. 497, 498.
[14] Calderwood, v. 259-261; Thorpe, Calendar, ii. 635.
[15] Hatfield Calendar, iv. 383, 384. [16] Border Calendar, i. 502.
[17] Forbes-Leith, Narratives of Scottish Catholics, p. 191.
[18] Letters of John Colville, pp. 258, 259; Bannatyne Club, 1858.
[19] Moysie, Memoirs, p. 105. [20] Spottiswoode, ii. 437.
[21] Bowes to Cecil, Thorpe, Calendar, ii. 636.
[22] Calderwood, v. 270; Border Calendar, i. 506, 507.
[23] Calderwood, v. 225. [24] Hatfield Calendar, iv. 430.
[25] Bowes to Cecil; Thorpe, Calendar, ii. 637.
[26] Calderwood, v. 273, 274. [27] Border Calendar, i. 510. October 31.
[28] Thorpe, Calendar, ii. 638. [29] Calderwood, v. 289, 290.
[30] Tytler, ix. 146. I have been unable to find the letter, quoted by Mr Tytler at the Record Office.
[31] Thorpe, Calendar, ii. 646. [32] Thorpe, Calendar, ii. 646.
[33] Cecil to Zouche, March 12, Thorpe, Calendar, ii. 647.
[34] Historie of King James the Sext, pp. 306-314.
[35] Letters of John Colville, pp. 259, 260; Border Calendar, i. 525-528.
[36] Thorpe, Calendar, ii. 650; Historie of King James the Sext, pp. 312-314
[37] Bowes to Burghley, April 30, Thorpe, Calendar, ii. 650.
[38] Hatfield Calendar, iv. 504.
[39] Hatfield Calendar, iv. 517, 518. [40] Hatfield Calendar, iv. 523, 524.
[41] Historie of King James the Sext, pp. 324, 325.
[42] Calderwood, v. 299, 321, 323.
[43] Tytler, ix. 151-154, citing a Warrender MS.; Hatfield Calendar, iv. 509, 510, April 13, 1594.
[44] Calderwood, v. 337, 338.
[45] Thorpe, Calendar, v. 654, 655; Spanish State Papers, iv. 590.
[46] Letters of John Colville, p. 106.
[47] Colville to Cecil, July 30, Letters of John Colville, pp. 113-115.
[48] Hatfield Calendar, iv. 629, 630. [49] Hatfield Calendar, iv. 630-632.
[50] Moysie, Memoirs, p. 104. [51] Privy Council Register, v. 173.
[52] Hatfield Calendar, iv. 583.
[53] John Colville's Letters, pp. 123-131.
[54] Miss Warrender's Illustrations of Scottish History, pp. 45-51, Bothwell to the ministers.
[55] Spanish State Papers, iv. 590, 591.

[56] James Melville, pp. 318, 319; Privy Council Register, Aberdeen, October 19, v. 182.

[57] Thorpe, Calendar, ii. 668.

[58] Cockburne to Bowes, Thorpe, Calendar, ii. 668.

[59] Calderwood, v. 361, 362.

[60] Thorpe, Calendar, ii. 670, 671; Border Calendar, ii. 17.

[61] Calderwood, v. 364, 365. Colville writes that he was present at the taking of Hercules, but interceded for his life (Letters, p. 139).

[62] Calderwood, v. 366; Creighton, An Apologie, Miscellany of the Scottish History Society, i. 53.

[63] Letters of John Colville, p. 146.

[64] Thorpe, Calendar, ii. 679, 680.

[65] State Papers, Scot., MS. Eliz., vol. lvi., No. 62.

[66] Thorpe, Calendar, ii. 689-692.

[67] Thorpe, Calendar, ii. 705, February 24.

[68] Calderwood, v. 380.

[69] Thorpe, Calendar, ii. 699; Privy Council Register, v. 235, 236.

[70] Privy Council Register, v. 246 *et seq.*

[71] Letters of John Colville, p. 190.

CHAPTER XV.

THE KING CONQUERS THE PREACHERS.

1596–1597.

THE year 1596 was one of the most remarkable in the history of Scotland. The empty exchequer caused the king to adopt one, if not two, unusual measures. The first was the appointment of a board of eight men to control finance and expenditure: these "Octavians," as they were called, became practically a ruling Cabinet, but their authority did not outlive the year. The king's second expedient, if we may believe statements which contain suspicious elements, was the endeavour to raise money from Spain and the Pope, accompanying his petitions with promises of change of creed. The history of the relations of Church and State in this year was rich in variety. As Calderwood writes, "The Kirk of Scotland was now come to her perfection, and the greatest puritie that ever she atteaned unto, both in doctrine and discipline, so that her beautie was admirable to forraine Kirks." But before the carols of Christmas-tide were sung (these were among the left-hand fallings off which good men deplored) all was changed, and there began "that doolefull decay and declynning of this Kirk, which has continued to this houre, proceeding from worse to worse," for Calderwood wrote before the glorious revival of the Kirk in the Great Rebellion. The return of the Catholic earls, involving the decay of the Kirk, and the famous affair of Kinmont Willie, also marked the year 1596.

The Octavians, appointed as auditors of the Exchequer for life, for the collection and administration of public and royal revenue and expenditure, were a body who sat daily without salary. James was personally reckless in expenditure and lavish in giving, while

funds were collected with difficulty, and official salaries were always in arrears. The Octavians were expected to take order in these affairs, but the suspicion of idolatry that was attached to some of them mortally offended good men; while bad men, the *Cubiculars* or courtiers, resented their economies. The end, at the close of the year, was a revolutionary scene, and the Octavians fell in the crash of Kirk, State, and Court. The Octavians themselves appear to have been wisely selected. First comes the President of the Court of Session, Alexander Seton, called Lord Urquhart, the third son of George, seventh Lord Seton, the famous Catholic friend of Mary Stuart. Every one knows his sister, Catherine Seton, the charming fictitious heroine of 'The Abbot.' The son of such a father as Lord Seton, this Octavian could not but be suspected of leanings to idolatry, and he was to be especially odious for his share in reintroducing the banished Catholic earls. William Stewart, lay Prior of Blantyre, was also a judge, and rose to be Treasurer. Carnegie of Colluthie had long been an active member of the Privy Council, and belonged to a shire of dubious Protestantism. John Lindsay, a member of the House of Crawford, was one of the judges, a man of affairs, who had worked hard at a scheme for the proper endowment of the Kirk. Ecclesiastical finance, owing to the change of faith and the depredations of laymen, was in a state of chaos, and it is asserted that four hundred parishes were unsupplied with regular ministers. Lindsay drew up what was called "The Constant Plat," or scheme, for Church endowment. The experienced Alexander Hay, Clerk of Register, held that no such scheme could be invented, or, if invented, carried into practice; Lindsay constructed the system, but died in Hay's belief that it was impracticable.[1] The details of the plan are too complicated for such a work as this, but Lindsay acknowledges that there is no means at present to augment the stipends of poor ministers, nor to plant new ministers, "albeit the most part of all the parish kirks of Scotland are altogether destitute of all exercise of religion."

Every reader must have remarked that vice and wickedness, if they did not increase after the Reformation, at all events did not diminish, and we might infer that Calvinism, whatever its merits, bore no better moral fruits than plain idolatry had borne. But it ought not to be forgotten that, thanks to the greed of the nobles and gentry of the Congregation of the Lord, many parts of Scotland were as destitute of religious teaching as the Solomon Islands,

or at best the pious had to climb by ladders into the upper rooms, where skulking Jesuit missionaries officiated.[2] The financial scheme of this Octavian, Lindsay, for re-endowment, was therefore grateful to the preachers, though they not unjustly held that the Court used the "plat" as a mere sop to conciliate the Brethren.[3]

Another Octavian, Elphinstone of Innernaughty, was one of the judges, but was suspected of Catholicism, as was Hamilton of Drumcairn, "Tam o' the Cowgate," so called from his palace in that street of palaces. Skene of Curriehill, also a judge, was one of the most eminent of Scottish legists, a classical scholar, and well acquainted with the Teutonic languages,—"a good, true, stout man, like a Dutchman." Finally we have Mr Peter Young, James's old tutor and librarian, whom he employed on diplomatic missions. He, at least, was a good Protestant. It may seem that James could have made no better selection of officials, all men of learning in law or in fine scholarship. If they lay under suspicion of Catholic tendencies, that merely proves the slender hold of Calvinism on the higher intelligences of the country, despite the adhesion of St Andrews with its distinguished scholars.[4]

The year opened, politically, with the return of Bowes as Elizabeth's ambassador. Elizabeth complained of want of money: James lamented her broken promises. She hinted that there were rumours of his dealing with Spain: he replied that Spain was liberal, but that he would not be entangled in the threatened plan of invasion. How far we may think him honest depends on our sense of an intrigue at Rome and Madrid, then being conducted by a person who bore alleged letters of credit from James.[5] That negotiator, Ogilvie of Pourie, concerning whom more is to be said later, had since June 1595 been dealing with Spaniards in the Low Countries. He left Scotland when Huntly was exiled, and a letter of a Catholic sympathiser at Campveire (February 24) speaks of "the King of Scots man" (Pourie) as "a false knave," adding, "his credit is lost with Huntly and Errol."[6] Was Pourie actually "the King of Scots man," was he an accredited envoy to Spain and the Pope; if so, were all his papers and promises genuine? He was at once James's spy on Huntly, Cecil's spy on James, and an adventurer intriguing "for his own hand." James was perhaps trying to get papal and Spanish gold, and to induce Philip to regard him as successor to the English crown, at which Philip, with the assent of a party of the English Catholics, was aiming himself. James was per-

fectly capable of deceiving Elizabeth, Spain, and the Pope; but, on the other hand, Pourie was "a false knave," and the truth about this intrigue (which the Kirk shrewdly suspected to be in progress) is hard to ascertain. Bowes, at all events (March 10), sent an unwontedly favourable report of James's loyalty, and efforts in the cause of religion, justice, peace, and sound finance.[7] But Lady Huntly (sister of Lennox, and a friend of the queen) was at Court, and a source of anxiety to good men.

On March 24 the General Assembly met in Edinburgh. There was a great outpouring of grace. The irreconcilable Mr Davidson handed in the ideas of the presbytery of Haddington, now, in a new sense, The Lamp of the Lothians. The Assembly ought first to deplore the national off-fallings, beginning with a catalogue of the backslidings of the ministers themselves. "Let the priests, the ministers of the Lord, weep between the porch and the altar" (Joel ii. 17). There was no altar, and sometimes no porch. Next, the more congenial theme of the sins of princes was to be faithfully exposed and lamented. It was acknowledged that the king swore terribly: indeed James's colloquial eloquence was florid both in the matters of profanity and indecency. Lastly, the offences of the general public were enumerated in "a catalogue over easy to be made."

On March 25 James made a speech to the Assembly. He wanted money for national defence; but as to his own sins he requested that he might be admonished privately. That, we conceive, was his right, and the right of the humblest of his subjects, according to the First Book of Discipline. Queen Mary had, we saw, drawn Knox's attention to this point, but he replied evasively. James declared that "his chamber door should be patent to the meanest minister in Scotland," but the preachers much preferred "to do it in public," to castigate him from the pulpit. Regarding money for national defence, Andrew Melville proposed to take it from the property of the Catholic exiles. This was a natural suggestion, but the earls had only gone abroad on a compromise arranged by Huntly's brother-in-law, Lennox. Their wives and families were not left destitute, but enjoyed their estates. Melville denounced this arrangement, which was part of the detested policy of not extirpating and ruining Catholics. Doubtless, according to the law of the land and his own promises, James ought to have extirpated all idolaters. But however desirable that policy may be ideally, reasons of State, and of family affection, perhaps even of the old Adam, our fallen nature, prevented

James and the ruling classes from making real the ideal of the Kirk. In Knox's time the same slackness had been displayed. Technically, the ministers were right, and could charge James with hypocrisy and falsehood; but in a world of compromise practical politicians may incline to palliate his offence.

In reply to Davidson, who followed Melville on the same side, James said that he would not refuse to be judged by the Assembly, or any minister, "providing it be done privately." Davidson, turning to his brethren, answered that as to whether private admonition for "open, and manifest continuing therein" (in sin), was in accordance with the Word of God, "ye are to judge." The Book of Discipline recommends private admonition first, then public denunciation if the sinner persists. But what *is* "sin"? Of that the preachers, "the prophets," were to be judges, and their inspiration usually led them to denounce James's policy, or "sin," from the pulpit. James's policy (if Pourie was his envoy) was sinful enough. But the old claim to deliver inspired denunciations of the political tendencies of rulers is not compatible with the existence of the State. The preachers erected an *imperium in imperio*. Within a few months James dealt a heavy blow at the interfering system of the Kirk.

The Assembly then passed to its functions as the War Office of the period. Parochial Captains and county Colonels were to be selected; there were to be monthly drillings, or at least musters; corslets, muskets, and pikes were to be prepared. Later in the year the Kirk, or some of its representatives, were engaged in a scheme which would have turned these musters and muskets against the king. The financial supplies, the Assembly insisted, must be raised from the estates of the Catholic exiles. It was decided to keep a day of humiliation, Mr Davidson presiding. The enormities of the ministers were next dwelt upon: they mainly arose from the system of patronage, which probably introduced ministers "in gorgeous and light apparel," given to dancing, card-playing, and hazard, while others kept taverns, were factors or traders. It is unlikely that these joyous or commercial spirits entered the Kirk by any other door than that of patronage. Probably they did not assiduously attend the General Assemblies, where we hear little or nothing of votes given in the Court interest. The day of humiliation was March 30. With sighing and moaning "the Kirk resounded, so that it might worthily have been called Bochim."

Before leaving Bochim the Assembly held up their hands, "to testify their entering in a new league with God"; and only one person "despised that exercise"—namely, Mr Thomas Buchanan, who went not unpunished, for in the end he was killed by a fall from his horse. The renewal of the Covenant was recommended to the Kirk at large.

These impressive scenes displayed the sincere belief of the Assembly that they directly represented the people of Israel. Scotland was their Promised Land, to extirpate Amalekites was their bounden duty. The more popular preachers were prophets, like Samuel and Elijah: the king was usually cast for the part of Saul, Ahab, or Jeroboam, according to circumstances. The queen was, more or less, like the daughter of Herodias: three ministers were sent to point out that she and her ladies were too fond of dancing. As to the general public, family prayers were either neglected or directed by "cooks, stewards, jackmen, and suchlike." There were still holidays, bonfires, pilgrimages, and singing of carols at Christmas-tide. The Sabbath was not devoutly kept: profane swearing was too much exercised; there was "a flood of bloodshed and deadly feuds"; sexual morality was at a low ebb; and rents were much too high, while there was "extreme thraldom in services"—that is, labour-rents. Pipers and fiddlers and sturdy beggars were numerous. Justice was corrupt, and lay abbots, priors, and "dumb bishops" were allowed to vote as the spiritual estate in Parliament. The Court of Session was amenable to bribery.

Such is a sketch of the condition of Scotland in the year 1596, when the Kirk was now come to her perfection. "And here," says Calderwood in despair, "end all the sincere Assemblies General of the Kirk of Scotland, enjoying the liberty of the Gospel under the free government of Christ!" "Too soon despairer!" The Kirk was again to be terrible as an army with banners, till Oliver Cromwell sent an officer of hussars to turn the General Assembly into the street. (Calderwood, v. 394-411.)

While James was making as fair weather as might be with the Brethren, he had an envoy, Fowlis, at the Court of Elizabeth. But negotiations were clouded by Buccleuch's rescue of Kinmont Willie from bonds in Carlisle Castle. This joyous feat of arms is best described in the famous ballad, however much or however little it may owe to the touch of Sir Walter Scott. Kinmont Willie,

to be brief, had been captured by a large force of Englishmen as he rode to his Liddesdale home on the evening of a Warden court. A truce existed, by Border law, till sunrise of the day after the meeting; but "the false Salkeld," Lord Scrope's deputy, had seized Willie contrary to law and custom. This must have been in March 1596, for Buccleuch's remonstrances are mentioned by a correspondent of Bowes on April 1.[8] Remonstrance with Scrope was in vain, Willie was destined to be hanged at Hairibee; but Buccleuch had taken his measures. The Castle of Carlisle was strong, the town populous, the position girdled by Esk and Eden. But Buccleuch determined on entering, by a night camisade, a fortress which had repelled the war-leaders of the Bruce. His kinsmen dwelt hard by his house of Branxholm on Teviot, four miles from Hawick. Not a mile farther down the river stands the fortalice of Goldielands; two miles across the hill behind Branxholm, on a cliff above a burn that flows into Borthwick Water, is the keep of Wat Scott of Harden. From Teviotdale, Borthwick, and Slitrig waters the Warden called in two hundred riders of his clan and of the Armstrongs. From Liddesdale, as they rode south, the Border prickers came in, bearing scaling-ladders, crowbars, hammers, and axes. Apparently they rested at Langholm, and started thence on the following night. The Grahams of the Debatable Land were in the plot. The night was mirk with torrents of rain, but, starting from Langholm, they knew every foot of the way, splashed through Esk, swam their horses over Eden,—"The water was great, and mickle o' spate."

> "He's either himsel' a devil frae hell,
> Or else his mother a witch maun be.
> I wadna hae ridden that wan water
> For a' the gowd o' Christentie!"

says Lord Scrope in the ballad.

At Caday burn Buccleuch dismounted most of his men and led them to the castle wall. The ladders were short, but they found an entrance, seized the sentinels, forced open a postern, and while Buccleuch kept watch in the court a band broke into the Kinmont's chamber, bore him off, ironed as he was, and the trumpets of Buccleuch sounded "Rise for Branxholm readily." Scrope, knowing nothing as to the numbers of the assailing force, preferred the better part of valour; Willie roared his good night to the Warden, and at the first smith's bothy on the Scottish side

was liberated from his "heavy spurs." Elizabeth of course was enraged, and demanded that Buccleuch, the most popular man in Scotland, should be surrendered to her. It is usually said that he was, and that he had an interview with her majesty, but, after a brief period of courteous warding in St Andrews Castle, James released the gallant captor of Carlisle (November 10).[9] Buccleuch was needed on the Border,* and he had only righted by the strong hand a wrong which the strong hand had done. By way of raising a counter-grievance, James complained that he and his mother had been insulted in Spenser's "Faery Queen," but Edmund Spenser escaped trial and punishment.[10]

At this time our old acquaintance, Archibald Douglas, was in trouble on a charge of trafficking with Bothwell. All his craft had not availed to keep him in that singular diplomatic situation of a semi-official envoy of Scotland, paid by England.[11] We hear little more of this versatile and unredeemed miscreant, who dwindles into a spy of the Cecils.

With the warm weather of early summer the Catholic exiles and their friends began to bestir themselves. Lady Huntly was at Court, and, no doubt, was working privately on the king and queen. From Augsburg a Mr Anderson sent a warning letter to the preachers (April 27, 1596). "The storm was imminent," intriguers were busy at Rome, Walter Lindsay had been sent to Spain. But the Spaniards objected that, after sending large sums in gold, they had not received their money's worth from Huntly and his allies. They blamed Bruce, who, as we saw, declared that Huntly could not be trusted with the gold, and Bruce was now under a cloud. In fact none of them, nor any Scot of any party, could be trusted with money. Bruce himself was a double spy, as occasion ministered opportunity. One of the Lethingtons (author of the MS. Apology for his father, the great Secretary) was travelling in Italy on treasonable business, which he had already worked from the house of his father-in-law, Lord Herries, dealing especially with Cecil, an English priest.[12]

This Cecil, a secular priest, and a spy of his namesakes, the statesmen Cecils, was, in fact, accompanying and counter-working Ogilvie of Pourie. In September 1594 Pourie had been denounced as a papist and rebel.[13] Yet in the years 1595-96 he appears in

* He was later warded in Berwick for other reasons. Still later he had an interview with Elizabeth on his way to fight in the Low Countries.

the Low Countries and Italy calling himself accredited envoy of James to the Pope, Spain, and idolaters in general. To the Pope he presented what he called James's petitions: James asked for 2000 gold crowns a-month that he might put down his rebels, and 4000 a-month after he had professed Catholicism. Father Tyrie plainly said that James's promises in the way of religion were all "invention and deceit." Another paper was designed to show, by James's past conduct, that he was no enemy of Catholics. In fact the paper justified all the suspicions which the preachers entertained about the king. But the statements themselves have a very suspicious air. James must have known, for instance, that his father was not "Earl of Lennox," and was not murdered by order of Elizabeth! Yet Pourie makes James talk thus in his Letter of Credit. Indeed Pourie made so many absurd and contradictory proposals that he was not trusted at Rome, nor in Spain. He was accompanied by the secular priest, named Cecil, already mentioned as a spy of his namesakes in England, and Cecil wrote a tract against Pourie's statements in favour of James. Pourie was imprisoned at Barcelona, and the Catholics of the English and Spanish faction had a bitter controversy among themselves over the whole set of transactions. Cecil (the priest-spy) maintained that Pourie's letter of credit from James was either forged or obtained by fraud. Pourie declared later that he had no commission, and erred only from *trop de zèle*. Both Pourie and Cecil became spies of the Cecils, and in May the Ministers of Elizabeth seem to have received the papers of both intriguers. On July 13 Bowes enclosed copies to Cecil, with a letter from the Spanish Ambassador at Rome to the King of Spain.[14] It is not easy to determine the amount, if any, of James's share in these futile plots, but if, in despair of Elizabeth, he was promising to Spain and the Pope his conversion to their creed, he was certainly deceiving these Powers.* Probably Pourie had forged his letters of credit, or had amplified something of milder character.[15] The documents, as any reader must see, are impudent impostures as they stand.

In any case, the elder Cecil's suspicions were aroused. In a letter to his son, Sir Robert (July 10), he speaks of the Octavians as "hollow papists," and advises that Bowes should ferret out things concerning them by aid of the preachers.[16] This was written

* See a letter of Pourie to James, written in 1601, at end of chapter xviii., p. 496.

after Cecil had got wind of the proceedings of Pourie, which were communicated to James. (By October Pourie appears to have been in alliance with Cecil.) The king, of course, denied that he had any share in Pourie's enterprise (August 3), and declared that, to his knowledge, Huntly had not returned to Scotland. Lady Huntly, however, was making suit for her husband.[17] By August 10 Bowes announced Huntly's arrival: the Kirk was greatly dissatisfied. Robert Cecil advised Bowes that, if Huntly was likely to come into the king's peace, he had better invite Elizabeth to mediate for him (August 27). The ministers began to preach against Huntly, who, by returning without licence, had certainly broken the compact; though it was whispered that James had licensed both him and Angus.[18] The excitement of the ministers on the reappearance of an idolater, the murderer of the Bonny Earl, may be imagined. On October 19 Lady Huntly proposed certain conditions to the synod of Moray. Her lord offered himself for trial, and, if convicted, would "underly the censures of your wisdoms, king, and Council." He would give security for his behaviour; would banish from his presence all Jesuits and notorious papists; would listen to the arguments of the preachers, and be converted, if he could; would keep "an ordinar minister" in his house; and he begged for a reasonable time wherein to be conscientiously converted.

On October 20 the Commissioners of the General Assembly and the synods met at Edinburgh, and sent a circular to all the presbyteries. The most dangerous and threatening fact had been a decision of Council at Falkland on August 12.[19] It had been decided that Huntly should not receive licence for his return. But James, in the exercise of his clemency, would draw up conditions: if Huntly accepted these the country would be free from the dangers incident on the exile and discontent of the Catholic earls. Seton, the President, pleaded in favour of this plan: Andrew Melville burst in uncalled, and charged everybody with "high treason both against Christ and the king." James turned Andrew out, and won over James Melville and the other brethren present. "The Estates conclude that, the king and Kirk being satisfied, it were best to call them" (the exiles) "home, and that his majesty should hear their offers for that effect."[20] Early in October the Melvilles and the others again approached James. The younger Melville spoke temperately, but the irascible Andrew "doucht nocht abyd it"—

could not endure it. He seized James by the sleeve, "he laid his hands on an anointed king," and called his sovereign "God's silly vassal." There were in Scotland, Mr Melville observed with much vehemence, two kings, Christ and James. Now the preachers were the deputies of the former and superior monarch, and James must attend to *them*, and not to his "devilish and most pernicious" lay advisers.

James had not much nerve when confronted by this kind of violence, as Fontaine had observed ten years earlier. He ought to have called the Guard (if he had any) to remove Mr Melville, but he truckled. A king should not permit himself to be practically collared in his own house by a furious college don. But his majesty, according to James Melville, promised that the exiles should not be heard till they left the country, and should not come into his peace till they satisfied the Kirk.[21]

It was in consequence of all these proceedings that the Commissioners of the General Assembly met in Edinburgh on October 20. They recited the circumstances, warned the country, ordered a day of public humiliation in the first week of December; decided that the excommunication of the earls should be published; and established a permanent Committee of Public Safety in Edinburgh. They also had what to modern minds seems the extravagant insolence to summon the President, Seton, Lord Urquhart, before the synod of Lothian.[22] Whether these things were, or were not, within the powers of the Kirk, ecclesiastical lawyers may decide. But the proceedings, legally justifiable or not, were absolutely unendurable, and how Cromwell would have dealt with the officers of the General Assembly we can readily guess. James was not Oliver. He sent Seton and others to treat with some of the preachers, in place of warding them in Blackness. He offered to show the exiles no favour till they had satisfied the Kirk. This offer the Commissioners of the Kirk graciously accepted. Next he humbly inquired whether, if the exiles did satisfy the Kirk, he might be allowed to extend to them his favour? The Commissioners answered, No, he might not. The law of God and Parliament had adjudged the exiles to death. But the bosom of the Kirk would be open to the repentant. Apparently, if repentant, the exiles might die, free from excommunication. Mr Tytler takes this sense of the decision.[23] If he is right, the Kirk was, in modern phrase, "rather above herself."

James also was in an exalted frame of mind. There was at this time a St Andrews minister named Black, who is said to have caused a moral reformation in a city which sadly needed it. On November 1 Bowes reported to Cecil that Mr Black had used in a sermon offensive phrases about Queen Elizabeth. The preachers and the English embassy were usually close allies, but Mr Black's words could not be passed over. The event at once irritated James, and afforded him a handle against the Brethren. His annoyance was freely expressed, and on November 9 four preachers were sent for to converse with him.[24] The preachers remonstrated: James's "common talk was inventions against the ministers and their doctrine." Whether this meant that James invented stories, or believed the inventions of others, the phrase was uncivil. They also complained of his favour to the exiles, and to Lady Huntly, who had been invited to the baptism of the queen's daughter, Elizabeth, later the beautiful unhappy Queen of Bohemia. Further, the child's governess was to be Lady Livingstone, a Catholic, whom the Kirk meant to excommunicate.

James replied. There could be no peace between him and the Kirk "till the marches of their jurisdiction were rade" or defined. They must not preach on affairs of State. The General Assembly must not be convoked except by his authority. This appears to have been the actual state of the laws since 1592. It was lawful for the Kirk every year, and oftener as occasion arose, to hold General Assemblies, *provided that the king or his Commissioners with them, before each Assembly dissolved, "nominate time and place, when and where the next General Assembly shall be holden."*[25] Thus the preachers could not legally spring an Assembly on James, and perhaps raise levies of armed men. Thirdly, James required that Acts of the Assembly, as of Parliament, must receive his ratification. Fourthly, the Kirk must not meddle with cases which fell under the civil or criminal law of the country. He granted nothing as to the grievances about the earls and the ladies. The preachers replied, and sent some of their number to study the legislation affecting the Kirk. That day (November 11) the preachers learned that Mr Black of St Andrews was called before the king and Council for "infamous speeches" in his sermons during October. As Aston reported to Bowes, Black had styled Elizabeth an atheist; Bowes had remonstrated, and Black was summoned.[26] He had called all kings "devil's bairns," insulted the

queen, and so forth. If correctly reported, Black had certainly gone to great lengths. On November 12 "the whole Brethren of the Council" (the sixteen members, apparently, of the Kirk's Committee of Public Safety) summoned Lady Huntly, bade the presbytery of Stirling excommunicate Lady Livingstone, and decided that Black should decline the jurisdiction of the king and Council. Probably the Brethren were within their legal rights on the first two points, considering the penal laws against Catholics. By November 16 they had reduced James to promise "to purge the land from all papists and papistrie, and to suffer none, in whatsomever degree, to be of another religion that he was of," whatever that may have been. As to Black, James "thought not much of that matter"; only let Mr Black "compeare" and prove his innocence, satisfying the English Ambassador. "But take heed, sirs," said James, "that ye decline not my jurisdiction; for if ye do so, it will be worse." The Brethren, then (November 17), wrote out Black's declinature of jurisdiction, and signed it, all of them.

Whether the Brethren were now technically within their legal rights, as at that hour existing, is a question for legists. Dr M'Crie, whose sympathies were on the side of the Kirk, has discussed the problem in reference to an earlier declinature, practical if not explicit, by Andrew Melville (1584). Others, Dr M'Crie remarks, had declined, in secular matters, the jurisdiction of the Council, and appealed to that of the Lords of Session. The case is not parallel, of course, to the old claim of criminal clerks to be tried by courts spiritual, say, on charges of murder or theft. Black only appealed to trial by his brethren, *as a court of first instance.*[27] Dr M'Crie did not uphold the theory that a preacher, if acquitted by his brethren of treasonable phrases in a sermon, was free from trial thereafter by the civil magistrate on the same count. Such a claim, says the learned author, would have "deserved to be resisted and reprobated." The question, however, ought first to have been heard before an ecclesiastical tribunal. If they, through the influence of undue partiality, should justify the accused "erroneously, it was still competent for the civil magistrate to proceed against him."[28] "Such was the full amount of the claim made by the Church at this time."

This is vastly well, but who was to determine whether the ecclesiastical court, in acquitting a preacher accused of treasonable or libellous remarks in his sermons, decided "erroneously" or not?

To judge by the language used in Mr Black's declinature, and indorsed by the signatures of many leading preachers, the ecclesiastical court in such cases was incapable of judging "erroneously." Dr M'Crie knew that "undue partiality" was possible in a tribunal of ministers, and was aware that presbyteries and Assemblies (like General Councils, in the Anglican theory) "may err, and have erred." The civil courts, in Dr M'Crie's view, might (in such instances) revise the judgment and correct the error, and he appears to hold that the Kirk of 1596 was of the same opinion. Now it is true that Mr Black declined the jurisdiction of the Council, "at least in the first instance."[29] It seems to be, at least, arguable that Black had a right to decline secular judges "in the first instance."[30] But if we read on, we shall find the words "in the first instance" are a mere technicality or "hedge," for the language of the declinature indicates the opinion that there could be no "second instance," that nobody could pretend that the decision of the ecclesiastical court might be "erroneous," and that, if dissatisfied by the decision of the Kirk, the Government had no appeal. Black and his allies maintained that he was the "ambassador" of our blessed Lord; that "the Word" contained his "only instructions"; that, when preaching, he "*cannot* fall in the reverence of any civil law of man, but in so far as I shall be found to have passed the compass of my instructions." Now, this question "cannot be judged . . . but by the prophets"—that is, the other ministers. Therefore "of necessity the prophets" (in this case the Fife presbytery) "must first declare whether I have keeped the bounds of my directions before I come to be judged by your majesty's laws for my offence."[31]

It is plain that if the prophets are the first judges in such a case as Black's (and this he asserts), there is no court that can revise the prophets' verdict. Neither the Council nor the Lords of Session were inspired; in fact, part of the charge against Black was that he had denounced both courts as corrupt, and as cormorants. His conduct "cannot be judged except by the prophets." The words as to "the first instance" are therefore meaningless, if the presbytery acquits the accused. In this essential respect the claims of the preachers in 1596 differ from the opinion of Dr M'Crie in 1819. Dr M'Crie admits the possibility of error in the verdict, say, of the Fife presbytery. Mr Black and his allies do not admit the possibility of error. The prophets (the presbytery) are inspired, and

(in this matter) are infallible representatives of the apostles, and inherit directly the apostolic privilege of judgment.

For our present historical purposes it does not matter whether the charges against Black were well bottomed on evidence or not. It does not matter whether the state of the law as it stood justified his declinature or not. Nor are we concerned with the fact that Black would have had no more chance of a fair trial before the Council than the king would have received unbiassed justice from the prophets. Historically we only try to show what the claims of the Brethren actually were. In such cases as Black's they would be judged by the prophets in the first instance, and, by the nature of their contention, there could be no second instance. Therefore the Kirk was the ruler of the State. That James and his Council placed themselves legally in the wrong during these proceedings is highly probable, or certain. But our object is to explain the precise attitude towards civil jurisdiction assumed by the preachers. Black's declinature was given in on November 18. Cessford and the bold Buccleuch, men of this world, were among the Council. The minutes of the day record that Black "alleged that none should be judges of matters delivered in the pulpit but the preachers and ministers of the Word," and therefore desired to be remitted to his judge ordinary—namely, his presbytery—to which James must come as a Christian, not as a king. He admitted that James might judge in matters of treason, but the Church must judge in the first instance.[32]

The Brethren now (November 20) sent the declinature to all the presbyteries, with a letter inviting the other prophets to sign it. This irritated James, and the Committee of Presbyterian Public Safety appointed a General Assembly to be held in January (November 24). This they did without the presence of the king or his Commissioner, contrary to the law of 1592, or so it seems to the present writer. They also sent four of their number to ask James to leave off "pursuing" Black till after this General Assembly.[33] On the same day the Privy Council declared the Committee of Public Safety (the permanent session of the sixteen Commissioners of the General Assembly) to be illegal. They meant, by sending round the declinature for signature, to "raise trouble, sedition, and insurrection." The Commissioners must therefore return to their neglected flocks within twenty-four hours. They must desist from calling unlawful convocations of barons and others.[34] The Com-

missioners refused to obey this order. James weakly permitted them to remain and split straws of legal delicacy. They would defer the declinature if James would postpone pursuit of Black till after the meeting of the Assembly. On November 30 the king and Council unanimously voted themselves lawful judges in the case of Black. But on the same day Black was again summoned, the summons being "slanderous, blasphemous, and malicious," says Calderwood.

The "convocations" assembled by the preachers without royal licence were pronounced seditious. The Committee of Public Safety (the sixteen Commissioners of the Kirk) were bidden to leave Edinburgh in twenty-four hours. In reply they ordered the preachers to "deal mightily by the Word" against the king's proclamation. The preachers are "answerable" to Christ alone, "and not to be controlled or discharged by any other." Here is a plain proof that their verdicts could not be revised by any lay court.[35] On November 29 the Sixteen had drawn up articles to be presented to James. Their general purpose was to remit the matters under consideration to the General Assembly. On November 30 Black put in a second declinature, full of Scriptural texts. James once more tried to escape the battle by a feeble personal compromise, which the Commissioners refused. He would pardon Black, if Black would come and "resolve his majesty of the truth of all the points libelled, by the declaration of his own conscience."[36] In fact James had practically truckled, and renounced his cause, when some of his advisers put a little heart into him, and he sent to Black bidding him come and confess "an offence done to the queen at least, and so receive pardon." Black appealed to testimonials which he had received from the city and University of St Andrews, and would "confess no fault, how light soever."[37] On December 2 the Council found Black guilty in his absence, left the penalty to the king, and meanwhile ordered him to pass "be north the North Water," on pain of outlawry if he disobeyed.[38]

Even after this "truces" and negotiations went on, James trying to have peace with a shred of honour, which he could not keep if he did not punish Black in the terms of the decision of December 2. The President, Seton, was blamed for enlightening James on the rather obvious point that his jurisdiction over the Kirk was not secured unless Black was put to some penalty.[39] All this while fasts were being kept, and the people were being excited by

sermons; "the doctrine sounded powerfully;" in fact there was organised agitation (Sunday, December 12). On December 13 James announced his intention to cut off the supplies of the preachers, by refusing their stipends to such as would not sign a "band" which was to be submitted to them.[40] The Sixteen were desiring the presbytery of Edinburgh to excommunicate "such persons of highest rank as are known, or may be found, to be malicious enemies against the ministry and cause of Jesus Christ."[41] This was a strong measure. The presbytery might choose to think the king and Council malicious enemies, and might deliver them, and all who harboured them, over to Satan. But now the sixteen Commissioners were officially summoned to leave Edinburgh within twenty-four hours. They obeyed, leaving a manifesto behind them. James once more tried to negotiate, but the Edinburgh preachers would not parley till the Commissioners were publicly recalled.

James at this time appears to have been a mere shuttlecock. When in presence of the Commissioners he looked on all sides for an evasion. When surrounded by his Council he adopted vigorous measures which next day he tried to water down. But on December 17 events occurred which at once forced his hand and gave him an opportunity. For three weeks the pulpits had rung with "the doctrine," the populace was at once puzzled and irritated—the Presbyterian populace, for we learn nothing about the Catholic populace, which Davidson dreaded worse than the Court. Probably "the rascal multitude" (earnest professors apart) had no very fixed theological tenets, but was merely "against the Government." If the king had the upper hand, they would be against him. If the preachers "ruled the roast," as the saying was, and interfered with markets and holidays, the multitude would be against the preachers. On this occasion the populace was on the side of the "prophets." It has been said that the "Cubiculars," gentlemen of the Household, hated the Octavians for their economical measures. But they naturally did not love the precise. They therefore circulated rumours—on one hand, that the lives of the Octavians were in danger from the citizens; on the other, that the Octavians were the causes of the ill-treatment of the Kirk. Twenty-four substantial burgesses, the story went, were to be expelled from the good town. News of a private intrigue, by a "macer" for banishing a bookseller, reached Balcanquhel, or Balcalquall, the preacher, who preached a sermon on the subject. Bruce next held what is

now styled "an indignation meeting," in the "Little Kirk," where he had an audience of barons and other gentlemen.

This meeting was a "convention," not a congregation. Balcanquhel "showed that he had a warrant from the Kirk to convene them," and such conventions, gathered by warrants from the Kirk, for political purposes and without royal authority. the king reckoned illegal. Bruce directed the Assembly "to hold up their hands, vow and swear to defend the present state of religion against all opponents whomsoever."[42] Among those present, Bowes writes, was the great Maclean, he of the hauberk and the battle-axe, the hero of Glenrinnes. The meeting deputed the fierce Lord Lindsay and others to visit James, who was sitting with the judges in the Tolbooth. During their absence Cranstoun, a preacher, read to the angry crowd the story of Haman and Mordecai, "and such other places of Scripture." The king received the deputation with courtesy, he declares; but they went back to their allies discontented, and, according to Spottiswoode, numbers of people were at this time thronging unmannerly into the king's presence. The multitude was great, armed, perplexed, and unruly. How dense was the throng we may gather from the proceedings of Maclean of Duart. "Hearing the tumult kindling in the streets, he sought access to the king for the defence of his person, which he could not attain," says Bowes (December 21). Lachlan was no weakling, but he could not force a way through the rioters. He was not timid, but he deemed the situation so grave that he rode post-haste to Argyll in Stirling, apparently thinking that Clan Gilzean and Clan Diarmaid were needed for the royal rescue. These facts, neglected by our historians, prove that there was a veritable appearance of danger, which the Presbyterian writers endeavour to deny.[43]

Spottiswoode, later no Presbyterian, describes a scene of uproar: "some cried to arm, others to bring out Haman"; and the tumult was only stilled by a man Wat, who with a guard of craftsmen kept the mob from assaulting the door of the Tolbooth. Sir Alexander Home, too, the Provost, rose from a bed of sickness, and his eloquence had the pacifying effect of a *vir pietate gravis*. Calderwood admits that "two or three" came to the Tolbooth yelling for Octavians to be delivered to them. He also says that the nobles and gentlemen in the Kirk went out in armour, which was not usually worn in church. The armour may

have been donned by the town, as James Melville says, after a cry of a popish massacre was raised; for there was a report that Errol was approaching in force, and other wild rumours.[44] Mar went to the churchyard, where he and Lindsay wrangled. It is certain that there was a hubbub, and that the godly were in arms, with Lindsay at their head. The immediate cause was the sermon of Balcanquhel and the action of Bruce. Less than all this was enough to alarm and irritate James. He bade the discontented nobles send in their grievances in writing, and, the uproar being ended, went to Holyrood with the city magistrates. About five o'clock a deputation came to Holyrood, coolly bidding James dismiss his Ministers, but got no answer. The king, "being misinformed that the ministers had stirred up the town to that tumult, was in a great rage that night against them and the town." This is not very surprising; "the doctrine had been sounded mightily" for weeks, and sermons less numerous had caused tumults much more dangerous in times past.[45]

Next morning (December 18) the noisy townsfolk learned that the Court had withdrawn to the Palace of Linlithgow. James met Maclean and Argyll on his way as they returned from Stirling. A royal proclamation, delivered at the cross, damped the civic ardour. James announced that a treasonable sermon had been preached at St Giles's; an assembly of nobles, barons, and others convoked; that the ministers and gentlemen had broken in on the king with violent and seditious discourses; that most of the burgesses, "hounded out" by the preachers, had treasonably armed themselves, and endangered the lives of his peaceful majesty and others. The Court of Session and the Court were therefore removed from Edinburgh; he bade strangers in the town depart in six hours, and prohibited them from convocating anywhere by persuasion of the preachers or others.[46] This measure terrified the burgesses with fear of loss of business, caused by the withdrawal of the courtiers, and of all who sought the town on legal affairs. The intrepid Mr Robert Bruce, as indomitable as his royal namesake, did not despair of the Kirk. We have seen that for some time the practical head of the almost Royal House of Hamilton, a house which had long wavered between Church and Kirk, was a true blue Presbyterian. He it was who had thrice ingeminated "Then are we all gone," when James had whispered that there might be such a thing as religious toleration. To Lord Hamilton Mr Bruce instantly applied

himself (December 18). He wrote that, after many wrongs, the retention of stipends, the expulsion of the Sixteen, the warding of Black, the similar threats against the preachers and "a great number of our flock," the populace had taken up arms. The commotion had been pacified by the preachers (though really the Provost seems to have deserved the credit). The godly barons and others "have convened themselves, and taken upon them the patrocinie and mediation of the Kirk and her cause." Bruce did not add that the godly barons had convened in arms. "They lack a chief nobleman to countenance the matter against these councillors, and with one consent have thought it meet that I should write unto your lordship." Hamilton was therefore prayed to come, employ his credit, "and so to receive the honour that God calls unto you." Four preachers signed the request. If Hamilton had complied he would have disobeyed the royal proclamation against assemblages convened by the ministers.

As the letter was on its way (if we believe Spottiswoode and the 'Register of the Privy Council,' for Calderwood does not mention the circumstance) Mr John Welsh preached in St Giles's. This celebrated saint, the husband of Knox's daughter, Elizabeth, and an ancestor of Mrs Thomas Carlyle, "did rail pitifully against the king, saying that he was possessed with a devil." He used the favourite commonplace of the Scottish Liberals: the king was like an insane father of a family, whom his sons might dutifully disarm and tie hand and foot. Mr Welsh in early youth had been a Border reiver, and was of a high temper. According to Spottiswoode (iii. 34), Hamilton received the bearer of Bruce's letter well, and returned the original by the bearer. This, as we shall later see[47] in the case of Gowrie and Logan of Restalrig, was the usual precaution in cases of treasonable conspiracy. Had Hamilton been daring and ambitious, he might probably have overpowered James at Linlithgow, though Bruce suggested no such measure. But, on the other hand, he had a copy made of the letter, a copy "vitiated and adulterated." In this copy the rioters were said to have been "animated, no doubt, by the Word and motion of God's Spirit." The phrase of Bruce was, "the people, animated as *effeirs*, partly by the Word" (the preaching?) "and violence of the course" (the king's proceedings), "took arms." Where Bruce wrote that Hamilton was wanted "to countenance the matter *against these councillors*," the copy omitted "these councillors." The clause "employ your credit" was

also omitted. Bruce's averment that the preachers had quelled the tumult (as they did, according to Melville) was also left out. As all these changes intensified the nature of the invitation, they can hardly be attributed to mere haste and inadvertence in the copyist employed by Hamilton. Later (December 27), Bruce wrote a letter of remonstrance to Hamilton. "I am assured that your sister's son, the Earl of Huntly, would not have done the like that ye have done, and if I failed in anything in that letter, I failed only in this, in framing my pen over far to your lordship's humour, *which I knew to be ambitious.*" Knowing this, Bruce had called in Hamilton, and had said that God called him! And then Bruce, having knowingly invited an ambitious man, and attributed the invitation to the Deity; having summoned a prince who, failing James and his issue, was nearest the crown, expressed surprise that "the king takes it, as I hear, as if I had pressed to set you in a chair *foreanent* him. Surely it came never in my mind; and of all fools I had been the worst, if so I had done."[48]

Mr Bruce's excuses are inconsistent: we shall see other examples of his logic and his conduct, in the affair of the Gowrie conspiracy. It did not need much intelligence to see that, in summoning as a leader a man notoriously ambitious, and by birth so near the throne, Bruce laid himself open to the king's construction of his action. It was the natural, and probably the correct construction, and, as Bruce saw, was replete with "inconveniences" to himself "and the good cause." Spottiswoode cites, but not quite verbally, Hamilton's copy of Bruce's letter. But the sense of that letter itself is sufficiently patent.[49] Spottiswoode may be condemned, as he is by Dr M'Crie, for disloyalty as a historian, and for displaying Presbyterian zeal during the troubles in December, and turning his coat in January.[50] All the accounts of the tumult are naturally coloured by the partisanship of the narrators. Spottiswoode did not invent Welsh's seditious sermon, of which Calderwood says nothing (Sunday, December 19), though he cites at length Bruce's sermon. Dr M'Crie also omits the inconvenient eloquence of Mr Welsh, though it is embalmed in the 'Register of the Privy Council.' "I am heartily sorry," said Bruce, later, "that our holy and gracious cause should be so obscured by this late tumult," which, according to Dr M'Crie, "scarcely deserves the name of a riot." "I had rather," Bruce said, "have been banished Scotland for ever, ere one drop of their blood had been shed that day." Bruce insisted now on the

virtue of patience: he was careful to discriminate between James and his advisers: he mourned the defection of many preachers and others, whence we may gather that the Brethren had not been unanimous during the troubles of the last two months.

All this was very well, but it came after the reading to an excited populace of the story of Haman, and it came after Bruce's invitation to Hamilton. If the ministers were all for peace and patience, why did one of them read inflammatory scriptures about hanging a statesman and massacring malignants? Was the leadership of the godly by an ambitious prince such as Hamilton likely to lead to public tranquillity? Bruce's pacific sermon came two days too late, and was not reinforced by the sermon of Welsh on a devil-possessed king, who ought to be tied hand and foot. The tumult was caused by the exciting sermons, the "indignation meeting," the inflammatory lessons from the Book of Esther, the exaggerated rumours, and the panic (whether wilfully stirred or not) of a popish massacre. The armed townsmen, like the mob of Ephesus, knew not wherefore they were come together. Some were intent on rescuing the king, others on hanging a few Octavians. Last came the preachers' dealing with Hamilton, which wore an ill face. James was first alarmed, then angry, finally he saw his chance, and the tumult, a confused brawl, gave him his opportunity. On the 20th four ministers, including Bruce, were ordered into Edinburgh Castle, then held by Mar; these men, with Cranstoun, were to appear at Linlithgow on December 25. Among them was Andrew Hart, the publisher, described as "bookbinder." Bruce and Balcanquhel fled to England, James Melville concealed the other prophets in Fife.[51] The town heard with terror tales that the Borderers were to sack the town. "They offered to put all in the king's will, both concerning Kirk and policy, to save their goods."[52] On January 1, 1597, the Provost, Hume of North Berwick, who pacified the riot, and the bailies made proffers "to appoint neither magistrates nor ministers in future without the king's approval," disavowing the tumult as provoked by the preachers.[53] The king entered his capital on January 1, 1597. He forbade assemblies of the Kirk in Edinburgh. He forbade the ministers to live together as they had done, "in the circuit of a close." He asserted the power to make ministers preach, or desist, whenever he thought fit.[54] Threats hung over the town: the meeting of the judges was summoned to Perth. Welsh, whose sermon of December 18 Calderwood does not notice, was denounced a rebel:

it is clear that Spottiswoode took the words of the sermon from the 'Privy Council Register' (v. 359).

James had grasped his nettle, and it had crumpled harmless in his hand. All the proud preachers and prophets, the bold barons and burgesses, who had so long threatened and controlled him, they to whom he had truckled, "an irresolute ass," had ceased to be terrible. And thus was avenged the old Hammer of the Preachers, the bane of Morton, the discourted Arran. He did not live to see the day of triumph. In the height of the war of the Kirk (November 1596) he appears to have ridden to offer James his services. Returning to Kyle, he was warned to shun the feud of Douglas of Parkhead, nephew of Morton. Arran said that he would not leave his way for him nor for all of the name of Douglas! Parkhead armed a company and mounted: he overtook Arran at a glen called Catslack (there is a Catslack burn on Yarrow) and ran the famous Chancellor through the body with a spear (December 1, 1596).[55]

So in the notable year '96 perished Arran, "Captain James Stewart," the stately, the brave, the kinglike, the accomplished, but avaricious, cruel, and untrustworthy glory of the House of Ochiltree. He "died in his enemy's day," and did not behold the triumph which would have gladdened his heart, perhaps restored his power.

NOTES TO CHAPTER XV.

[1] Calderwood, v. 420, 421.
[2] Forbes-Leith, Narratives of Scottish Catholics, pp. 226-229.
[3] See the scheme in Calderwood, v. 421-433.
[4] See 'Register of Privy Council,' v., Dr Masson's Introduction.
[5] Thorpe, Calendar, ii. 711; Tytler, ix. 212. Major Hume in 'Treason and Plot' may be consulted.
[6] Thorpe, Calendar, ii. 706.
[7] Thorpe, Calendar, ii. 706, 707.
[8] Thorpe, Calendar, ii. 708.
[9] Thorpe, Calendar, ii. 720-723.
[10] Thorpe, Calendar, ii. 723, 724.
[11] Thorpe, Calendar, ii. 710.
[12] M'Crie, Life of Andrew Melville, pp. 483-485; ii. 524-528 (1819).
[13] Privy Council Register, v. 172.
[14] Thorpe, Calendar, ii. 715, 716.
[15] See Mr T. G. Law's essay, with copies of the documents, in 'Miscellany of the Scottish History Society,' vol. i. No. 2.
[16] Thorpe, Calendar, ii. 715.
[17] Thorpe, Calendar, ii. 718.
[18] Thorpe, Calendar, ii. 720-723.
[19] Privy Council Register, v. 310, 311.
[20] James Melville, pp. 368, 369.
[21] Melville, pp. 370, 371.

[22] Calderwood, v. 443-448.
[23] Tytler, ix. 231.
[24] Thorpe, Calendar, ii. 723; Calderwood, v. 450-453.
[25] Calderwood, v. 163.
[26] Thorpe, Calendar, ii. 723.
[27] See Dr M'Crie's 'Andrew Melville,' i. 295-302 (1819).
[28] Life of Andrew Melville, i. 295-298.
[29] Calderwood, v. 458.
[30] M'Crie, Andrew Melville, *loc cit.*
[31] Calderwood, v. 458.
[32] Privy Council Register, v. 326.
[33] Calderwood, v. 463.
[34] Privy Council Register, v. 332-334, 336.
[35] Calderwood, v. 469.
[36] Calderwood, v. 482.
[37] Calderwood, v. 486.
[38] Privy Council Register, v. 340-342.
[39] Calderwood, v. 496, note.
[40] Privy Council Register, v. 348.
[41] Calderwood, v. 501.
[42] Calderwood, v. 512.
[43] Nicolson to R. Cecil, December 21, State Papers, Scot., Eliz., MS., vol. lix. No. 90. Bowes to Robert Cecil, December 21, 1596, State Papers, Scot., Eliz., MS., vol. lix. No. 88. For James's version see 'Privy Council Register,' v. 362, 363.
[44] Melville, p. 517.
[45] Calderwood, v. 510-514; Spottiswoode, iii. 27-32.
[46] Privy Council Register, v. 349-352.
[47] See Appendix B., "Logan of Restalrig and the Gowrie Conspiracy."
[48] Calderwood, v. 515, 534, 535.
[49] Mr Tytler, ix. 250, 251, also cites this copy from a Warrender manuscript.
[50] M'Crie's Andrew Melville, pp. 194, 195, and notes; ii. 94, 95 notes (1819).
[51] Calderwood, v. 520, 521; Privy Council Register, v. 353.
[52] Calderwood, v. 531.
[53] Privy Council Register, v. 356.
[54] Privy Council Register, v. 357; Act. Parl. Scot., iv. 107.
[55] Privy Council Register, v. 360, 361, and note 1.

CHAPTER XVI.

JAMES ON ILL TERMS WITH ENGLAND.

1597–1600.

THE preachers never recovered their supremacy in James's lifetime, but they never were thoroughly subdued. There survived a remnant, holding tenaciously to the old, impossible, theocratic ideals; and in a later generation they too had their hour of triumph. To us who see the past in a perspective unattainable in the sixteenth century, it is plain enough that two ideas were destined to prevail—toleration in religion, and democracy in politics. But under James the democratic idea, and the idea of toleration, occupied opposite camps. The preachers, and their representatives in the universities, at least in St Andrews, taught the Radical opinions of George Buchanan. They also upheld (except when an opposite theory suited their purposes) that the ministers should be chosen by their flocks,—a process which, following their line of argument, put the supreme power of the State into the hands of inspired persons elected by the votes of popular constituencies. A theocratic democracy was thus arranged for, but we should greatly misjudge the Brethren if we thought that they were mere believers in majorities. As against the greater number of votes, the votes of "the best" ought to prevail, and "the best" were the minority who would go all lengths with the preachers. This rather confused theologico-political theory and practice obtained its opportunity from the absence of a really representative and constitutional Parliament in Scotland. In place of such a body, the Kirk had her kirk-sessions, presbyteries, synods, and General Assemblies. Their power was enormous, and touched on military affairs as well as on politics and jurisdiction. But the power reposed on the belief in "prophets," and in direct inspiration.

Moreover, as must always have been suspected, and as will soon be seen, the ruling assemblies of the Kirk had not represented the full array of presbyteries and Presbyterians. Power had lain in the hands chiefly of the preachers of Edinburgh and the Lothians, of Fife and Ayrshire, always the centres of the Covenanting forces in later days. In these regions the preachers were the most learned, the most resolute, and the most pugnacious. They, and their lay associates, lairds and burgesses, had throughout been the power behind and above the throne, the *imperium in imperio*. But these regions probably had not a majority of the ministers, though, living near the capital, they could soon be on the spot when politics called for their presence. The ministers of remoter parishes, men much less zealous, were neither so rich nor, in the conditions of travelling, was it nearly so easy for them to concentrate south of Forth. Such was the theocratic democracy: it did not rest on a mere majority of the votes of members of the Kirk.

The doctrine most vigorously held by this theocratic and, in its way, democratic party, was the doctrine of religious intolerance. The leaders, being inspired interpreters of the Word, gave out that, according to the Word, idolaters must be extirpated. The theory, of course, was not peculiar to the Kirk: the old Church, when in power, had lit her fires and issued her censures. But a secular Government could not easily acquiesce in the idea of extirpation. Priests or preachers might have their way now and again, but the Crown was never whole-hearted in persecution, nor were the nobles. On this point the inspired certainties of the Brethren always encountered the opposition of the State: had James been a whole-hearted bloody persecutor, he might have had comparatively little trouble with the Kirk. They chiefly quarrelled over his policy towards the Catholic earls and Catholic States, over his failure to exterminate Jesuits and other emissaries of Rome.

Thus the two tendencies which had the future on their side—toleration (of a kind) and democracy (of a sort)—were at open war, entailing the war of Kirk and King. The conflict was inevitable. Perhaps human wisdom could not have found a compromise, a *modus vivendi*, between the inspired prophets on one hand and the existence of a free secular State on the other. The country had to be governed either by the Crown or by the pulpit. No modern observer can applaud the method by which James, for his day, gradually secured the supremacy of the Crown. His opponents

were morally much superior to himself and to many of his lay advisers. But their unhappy belief in their own inspiration made them irreconcilable. James was obliged to gain his end (and freedom from clerical dictation is a respectable end) by employing the low means of working on popular representatives by what, in the style of democracy, is termed "lobbying," "wire-pulling," and so forth. To "lobby" and "wire-pull" among prophets, such was his policy. It could not but follow that the least scrupulous of the prophets were the most easily to be secured by such methods. The others, the precise, the men of the old rock, held aloof from the preachers whom James selected, and branded them as apostates. The day of the Remnant came at last, and they triumphed over Spottiswoode as they had triumphed over Adamson. But these things "lay on the knees of the gods."

James himself, when the preachers became but weak allies of discontented nobles, was able to put forth his cherished theory of royal absolutism, which was encouraged by the higher clergy of England and the despotic tradition of the Tudors. Thus all the elements necessary for the explosion of the Covenant and the Great Rebellion were being accumulated. Forces were gathering which, in the long shock and collision of a century, destroyed each other, leaving the State open to the advance of democracy, no longer theocratic, and of toleration. It is hard for us to see how, in the conditions of Scotland after the Reformation, these things could have been ordered otherwise. The pretensions of preachers and kings were alike intolerable and intolerant: they were compelled to clash, to break each other and be broken. Modern sympathies are apt to be with the force which on each occasion has the worse in the encounter. No sooner are the prophets down than their sufferings and their courage appeal to us; no sooner has the Kirk recovered her tyranny than the cause of human freedom claims our regard. Not easily to-day can the observer of the past be either Cavalier or Covenanter, Kirk's man or king's man. Either cause is *victa causa:* both ideals perished in the century of strife: it is but a sentiment that makes a few cherish the White Rose or the Blue Banner.

As far as internal politics were concerned, the year 1597 was passed by James, first in securing a hold over the Brethren, next in reconciling the Catholic earls with the Kirk. His method as regards the former object was first to terrify by threats,—all Edinburgh was

to be put to the horn, her ministers were to be treated as rebels,—and then to allow the town to return into his favour, and to relax his measures against the town preachers. He next summoned a convention of the Kirk and the Estates to meet at Perth on the last day of February. The northern ministers found Perth far more accessible than Edinburgh; indeed, in fairness to them, Perth was the most suitable, as the most central, place of meeting. James next circulated a paper of fifty-five questions, to which the assembled divines were to reply. The queries bore on Church government, and the Synod of Fife raised a legal objection. No presbytery had the right to send commissioners to discuss the conclusions already sanctioned by a General Assembly, any more than a burgh could legally call in controversy an Act of Parliament. James's practical reply was to induce the Brethren at Perth to recognise themselves as an authentic General Assembly, a thing not accepted by the more precise. The Fife synod insisted that Church government can only be regulated by the Word, and that only the pastors and doctors of the Kirk can show what God's will, in the Word, really is. Now they had established that point already, once for all. Their motto was, "Nolumus leges Ecclesiæ Scoticanæ mutari"; but, like all other laws, those of the Kirk proved to be mutable.[1] The questions are said to have been drawn up by Lindsay the Octavian. To give them at full length is not possible. To the first, "May not the matters of the external government of the Kirk be discussed without injury to faith and religion?" the Fife synod said "No." As to whether the king alone, or the Kirk alone, or both, have power to modify the external government of the Church, the synod declared that the pastors and doctors were the ordinary, and prophets the extraordinary, authorities, whose decisions kings must ratify and sanction. This naturally raises the question, How are we to know a prophet when we see one? The only answer is, that God endows a prophet with extraordinary gifts, which are not specified. The gift of preaching is obviously one, and probably the faculty of premonition (in a layman "second-sight," and punishable as witchcraft) is another "extraordinary gift" and note of a genuine prophet. Wishart, Knox, Peden, and a number of others had this note of the prophet.

"The principles then laid down" by the Fife synod "were incompatible with the existence of civil government," says Mr Tytler. The right of public denunciation of individuals from the

pulpit was also claimed. The king had no right to annul an unjust sentence of excommunication. An interesting question was, "Is not the consent of the majority of the flock, and also of the patron, necessary in the election of a pastor?" The election, we learn from the reply, should be made by pastors and doctors, and the congregation and patron "should give their consent and protection." The selected candidate, if unpopular, was apt to need all the protection he could get.[2]

The commissioners from the presbyteries met at Perth, and James Melville gives a lively account of what he witnessed there. The ministers of the North were gathered in unwonted numbers, "and every one greater courtiers than another." Flocks of preachers were passing in and out of the king's palace, "finding fault with the ministers of the South, and the Popery of Edinburgh." James Melville had a friend, a fellow-soldier of the Kirk, who was his bedfellow. The king "captured" this evangelist, detained him from Melville's couch, and converted him in the midnight hours, which were probably not uncheered with the wines of Southern France. Next day Melville's bedfellow opposed him in the discussions of the meeting, and he quietly withdrew himself from the town. His noisy brother, Andrew, was detained at St Andrews by a rectorial election. The end of all was, after some demur, that the Assembly voted itself a genuine Assembly, and that the king carried his points. He might, it was agreed, propose modifications in Church government; no unusual conventions were to be called without his permission; the Acts of Parliament or of Privy Council were not to be preached about; no ministers in the great towns were to be appointed without the consent of the king and the flock; and nobody, as a rule, was to be personally attacked from the pulpit.[3] The Catholic earls were to discuss with chosen ministers and be converted, or leave the country.

While the process of conversion was going on, Barclay of Ladyland (who, with Balcarres, had been intriguing in Spain and Italy) tried to seize Ailsa Craig, off Ballantrae in Ayrshire, and use it as a place of arms for Spain. Being discovered by Mr Andrew Knox, and in danger of capture, he drowned himself. Bowes had for months given warnings of "plottings with Spain,"[4] Ladyland had returned thence in February. By July 4 he had lost his life, and Huntly and Errol, reconciled to the Kirk, had been absolved from excommunication.[5] The Kirk had done her best to make the

conversion genuine. Preachers had been appointed as members of the households of the proselytes, "to read and interpret Scripture ordinarily at their tables," and to catechise their families. Mr Hill Burton regarded these intrusions as a severe process of torture, and "permanent tormentors were to be put on a permanent establishment at the expense of their victims." We know how Father Gordon, Huntly's uncle, regarded the matter. He landed in the North while the process of conversion was going forward, and found Huntly a sore altered man. The Catholics everywhere were flocking into the Kirk. Huntly could not arrest (as was his legal duty) his uncle and old friend, who was put under the boycott of excommunication. A thousand pieces of gold were offered for his head; but Huntly obtained a remission, promising to send Gordon out of the country. He left Aberdeen, after holding a friendly discussion with the local ministers. In 1599 he returned, and had some interesting adventures. On the whole, the submission of Huntly and Errol did much to break down the Catholicism of the north-east of Scotland.[6]

The Old Kirk of Aberdeen on June 26 was the scene of the reconciliation. The decisions of Perth had been ratified by a General Assembly at Dundee in May, after an uproarious scene between the king and Andrew Melville. They shouted at each other, "they heckled on till all the house and close both heard, mickle of a large hour." The king was the first to recover his temper.[7] Fourteen king's commissioners, a kind of clerical Lords of the Articles, were selected; they removed Black and another preacher from St Andrews, and Andrew Melville, deprived of the rectorship, was made Dean of the Faculty of Theology.[8] The new board of commissioners, "both in General Assemblies and without, rule all," says Melville. But the Edinburgh preachers were restored to their flocks, "with a new imposition of hands" in the case of the preacher Robert Bruce, a ceremony not favoured by the earliest Reformers. An earthquake in the North was reckoned a judgment on the king, a new Uzziah; but it never came near him, nor was he smitten with leprosy, like his Jewish prototype. Later (February 25, 1598), an eclipse of the sun caused the deaths of four notable lights of the Kirk of Scotland,—at least James Melville mentions these as "notable effects of this eclipse." Melville knew the cause of eclipses as well as we do; about the effects he was much more fully informed.[9] Yet there

was difference of opinion. Among the extinguished lights was Thomas Buchanan. Now he was killed, as Calderwood has told us, by being dragged along the road, after a fall from his horse, for which the eclipse was not responsible. It is interesting to note that the old and very natural superstitious beliefs (natural while the real causes of the phenomenon were unknown) survived among men of learning, perfectly acquainted with the science of the subject.

The politics of 1597, ecclesiastical matters apart, were relatively tranquil. The Octavians resigned their thankless office, and the royal finances presently fell into the usual chaos (January 11, 1597).[10] Border affairs were unquiet: Elizabeth kept demanding the surrender of Cessford and Buccleuch, and for a brief while (October 1597–February 1598) Buccleuch did "render himself" across the Marches.[11] Sir William Bowes succeeded the veteran Bowes as English Ambassador, old Bowes dying in November, after a career of mischievous treacheries against the Court to which he was accredited. In July James had the pleasure of burning a number of witches at St Andrews.[12] One St Andrews witch, of a rather earlier date (*ob.* 1588), seems to have been merely a dealer in folk-medicine. She doctored Archbishop Adamson with "ewe-milk and claret wine," though a satirist, Sempill, describes her as "Ane carling of the Quene of Phareis," a comrade of "the faery queen, Proserpina." The witches burned in July 1597 were from Pittenweem. The preachers had sense enough to deprecate the carrying of a witch about the country to detect other witches by bodily marks to her known. This method later led to horrible cruelties, and the witch-finder was herself convicted of fraud. James was acting precisely in the fashion of T'chaka and other Zulu kings. Later, in England, Bishop Jewel fell in with James's notions about witchcraft. Bancroft, on the other hand, he who dealt so hardly with Scottish Presbyterian eloquence, treated witches and witch-finders with equal disdain, "such as could start a devil in a lane as soon as a hare in Waltham forest." The witnesses were "giddy, idle, lunatick, illuminate, holy spectators of both sexes, and specially a sisternity of nimps, mops, and idle holy women, that did grace the devil with their idle holy presence." Thus were bishops divided, the most anti-Puritan being the most averse to witch-hunting.

A historian of the Kirk, Principal Lee, has made the odd suggestion that James's zeal against witches, like his love of Episcopacy,

"was assumed for the purpose of ingratiating himself with the English nation, where a passion for the wonderful has always been much stronger than in this northern climate," where second-sight is still common, and fairies are both seen and heard unto this day. The truth is, that James would have ingratiated himself with Elizabeth on many an occasion by being a devout Presbyterian. In England he would, possibly enough, have ingratiated himself best by at least favouring the Puritans. He wanted bishops merely to keep the preachers in their place, and witchcraft appealed to his acute and inquiring but ill-balanced mind. Even John Wesley held that disbelief in witches was the thin end of the wedge of infidelity. What went under the name of witchcraft was a web of fraud, folk-medicine, fairy tale, hysteria, and hypnotic suggestion, including physical and psychological phenomena still unclassified. The Bible undeniably regarded some of these phenomena as the result of "possession" by intelligent discarnate entities. To disbelieve the Bible was flat atheism, so James and the preachers agreed in holding. In France in 1850-1854 some men of science, and several ecclesiastics, fell back on James's theory when confronted with talking-tables and clairvoyants.[13]

On the other hand were laughing and humane sceptics, like Reginald Scot. James took the line which the religion of the age and his constitutional bias made him select, the line of Richard Baxter, Glanvil, and Cotton Mather. His performances, so far, were such as the Kirk recommended. If, like Saul, he resisted the prophets, like Saul he persecuted witches. A hideous example of the manners of the age has been published by Mr Hay Fleming. In 1598 the laird of Lathocker, near St Andrews, was in trouble about a murder. At the same date, or shortly afterwards, the minister of Crail, by order of the presbytery, captured a woman suspected of witchcraft, "whom the laird of Lathocker took from him, and carried her to his place of Lathocker, and there tortured her, whereby she is now impotent, and may not labour for her living as she was wont."[14] In this folly of witch-burning, neither the Church of Rome, the Church of England, nor the Church of Scotland can throw the first stone at sister sinners. In Scotland, however, witch persecution became infinitely more frequent and stringent after the Reformation, as part of inquisitorial discipline in general. Just after James's witch-burnings at St Andrews in July 1597, the Privy Council discharged the commissions of justiciary against witches,

"understanding by the complaints of divers his Highness's lieges that great danger may ensue to honest and famous" (reputable) "persons" under the powers of these commissioners.[15] Spottiswoode explains this discharge by the case of Margaret Atkin, who, under torture, confessed to witchcraft, and put herself forward as a "smeller out of witches," in the Zulu phrase. She knew them by a mark in the eye; but when women whom she had detected were brought before her in disguise, so that she failed to recognise them, she acquitted them. Especially at Glasgow innocent women were put to death "through the credulity of the minister, Mr John Cowper." Brought back to Fife, Margaret Atkin confessed that her previous confession, and her detections, were all equally false, and she was executed. But this did not put a stop to the witch-trials and witch-burnings, an epidemic more permanent than that which devastated Salem in America a century later.[16]

In November and December James himself visited the Borders and hanged a number of reivers.[17] In December a Parliament met, during a feud between Hamilton and Lennox, to whom the Castle of Dumbarton, the old strength of his House, previously in Hamilton's hands, was now intrusted. James delivered an oration about his mother's wrongs and his own. It needed some lack of shame to grumble that the slayer of the mother did not pay the pension of the son. A grant of 200,000 marks was voted by the Estates.[18]

The great affair was the covert reintroduction of Episcopacy. The king's commissioners of the General Assembly, fourteen in number, petitioned that ministers might vote in Parliament. Consequently holders of prelatic titles (preachers so promoted by the king) were permitted to sit and vote with the Estates.[19] A General Assembly was proclaimed for March 1598. James reconciled himself with the Edinburgh preachers, who in future were to have each his separate flock, which did not suit their collective policy. In the same way they had already been turned out of their "close," where they used to live conveniently assembled. James explained that he did not mean to introduce "papistical or Anglican bishoping," but merely to admit the best ministers, chosen by the General Assembly, to represent the Kirk in the national council. Andrew Melville had not been allowed to take part in the Assembly, and the northern preachers outvoted the Brethren of Fife and the Lothians only by a majority of ten.[20] Thus were the "horns of the mitre,"

allowed to peep forth; thus, as the godly said, was the Trojan horse of Episcopacy brought within the walls of our Zion.

The new ecclesiastical members of Parliament were to be fifty-one in number, partly chosen by the king, partly by the General Assembly. Later (March 1600) the king was to choose each bishop out of a list of six, selected by the Kirk. Each was to attend to his own "flock"; they were to exercise no ecclesiastical discipline, and were to be amenable to the jurisdiction of presbyteries and General Assemblies. To avoid prejudice, they were only styled "commissioners." Meanwhile, in 1598, at Dundee, the godly had one safe victim, the witch. It was reported that civil magistrates discharged persons convicted of witchcraft. "Therefore the Assembly ordains that, in all time coming, the presbytery proceed in all severity with their censures" (excommunication?) "against such magistrates as shall set at liberty any person or persons convicted of witchcraft hereafter." The common-sense and humanity of the laity was not to override the cruel fanaticism of the preachers. They objected, indeed, to setting a witch to catch a witch, because that was using Satan against himself, a disreputable king's evidence enough. They also tried to check commercial intercourse with Spain, an idolatrous country.[21] But, too clearly, the great days of the Kirk were over for a while.

James had complained grievously of Elizabeth in the Parliament of December 1597. The relations between the two Crowns continued to be uneasy. They were complicated by the vexed affairs of the Western Isles and Highlands. For long Elizabeth had been trying to engage the brave and accomplished Maclean of Duart, the hero of Glenrinnes fight, to aid her against her Irish rebel, Tyrone. But Elizabeth would promise and not pay. Maclean muttered that he would take his men where they would be welcomed, probably by the Irish and their Spanish allies. All the Macdonald and Macleod country was embroiled in the private wars and treacherous diplomacies of the chiefs. One of these, James Macdonald of Dunluce, was a man of the world at Holyrood, a determined and traitorous ruffian in the heather. He had been aiding Elizabeth's Irish rebels (who knew him as "Macsorley"), and Robert Cecil bade William Bowes to remonstrate with the king for admitting Dunluce to his presence, also for secret dealing with Tyrone (January 4, 1598).[22] He had a claim, a baseless one, on Kintyre and Isla, held by Angus Macdonald, his father. The king

made the handsome freebooter a knight; he might be useful some day.

At this time, and in the Parliament of December 1597, Highland affairs had been taken in hand. The natives did not pay their crown-rents, and the chiefs were bidden to exhibit their title-deeds on May 15, 1598, and to give security for law and order. Disobedience was to entail forfeiture: obedience was difficult or impossible. "Sheepskin titles" were rare among the Celts. The Court probably hoped to reap forfeitures, but the claymore was apt (as James found) to engross charters on the bodies of Lowland claimants. The Lewes and other Macleod lands were granted to a kind of chartered company which had occasion to rue its bargain. Meanwhile, in a series of feuds, Macallester of Loupe killed his guardian, and was backed by Dunluce, who burned a house in which Loupe's foes were, and also his own father, Macdonald of Dunyveg. He imprisoned Dunyveg, and was put at by James, but made his peace. Such was the Macsorley (Dunluce) whom Elizabeth thought an ill companion for James. She was also vexed by his words in Parliament, and he was irritated by Doleman's (that is, Father Parsons') book in favour of a Spanish successor to the crown of England. He excused himself on all counts of Elizabeth's indictment (February 1, 1598). He engaged, however, an Irishman, Quin or Gwyn, to write in favour of his title, and also to scourge the author of the peccant 'Faery Queen.'[23] Mr Bruce, the preacher, at this time much out of James's favour, offered to reveal "certain dangerous practices" to Robert Cecil, who guaranteed a recompense. (This appears to be the Protestant Bruce, not the Catholic double spy of the same name.) Probably the "practices" were a notion of reverting to Spanish relations, and dealings with Elizabeth's Irish rebels (March 1598).[24] Bruce might thus avenge himself on James for the loss of his pulpit. James was naturally wroth that Robert Cecil had met Bothwell at Rouen, and a play in which Scotland was ridiculed offended the Court and country.[25] Elizabeth wrote haughtily to James (April 25), and if Cecil could have made mischief by aid of Bothwell, he would doubtless have pursued the usual policy of the Tudors. Elizabeth did present James with £3000, such were his "fiddler's wages."

Meanwhile there was grumbling at the expenditure of public money on banquets to the Duke of Holstein. To make matters worse, in May a scoundrel called Valentine Thomas gave out that

James had employed him to murder Elizabeth, and James was all the more indignant, as Elizabeth had received Bothwell's ally, the unwearied intriguer, John Colville. Elizabeth sent Bowes to soothe James by protesting that she was not "of so viperous a nature" as to believe the allegations of Valentine Thomas (July 1). Meanwhile Maclean was more and more impatient for his pay, and Glenorchy, a secret correspondent of Cecil, was the chief restraint on Highlanders who wished to join the Irish rebels. On August 7 Glenorchy reported the death of Maclean in a clan battle. It is a melancholy circumstance that the authors of clan histories cannot be relied on for that impartiality without which history becomes fiction. It is agreed that the great Maclean fell in Isla, where he and his nephew (Dunluce) had met to attempt an arrangement of their differences. But while the Maclean chroniclers assert that their chief arrived at the tryst in the garb of peace, a silken suit, armed only with the long rapier of Tybald or Mercutio (this is Mr Tytler's version), the learned Gregory maintains that Maclean was killed in a regular pitched battle. The evidence of Nicholson, writing to Robert Cecil (August 16), supports the theory of the Macleans. Duart was invited to a friendly meeting, he was accompanied by only 200 of his men, and was dressed in silk, doubtless in the embroidered doublet and puffed breeches of a Court gentleman. His rapier was a present from Argyll, whose own portrait, in the costume described, is at Inverary Castle. At the close of the meeting Dunluce's party attacked the Macleans, and a hidden force of armed men assailed them. Maclean slew three with his rapier, and sent his son away to live and avenge him. The bowmen of Clan Gilzean fled when they saw their great chief go down.[26] When a young son of Maclean's knelt to the king for justice James remarked that "it was well fought on both sides," but his intelligences denied that Maclean was attacked "under trust."

However, Gregory gives quite a different account. There was an open battle. Maclean was worsted and slain in a regular set fight. The tactics of Dunluce were ingenious. The key of the position was a certain hill-top. Dunluce, in the opening of the fight, caused his vanguard to make a feigned retreat. They then gained the desired eminence by a detour, and charging downhill, broke the Macleans. The son of the chief with difficulty escaped.[27] As is natural, Calderwood takes the Maclean view, and accuses the king of "hounding out" Dunluce. He had never

forgiven Maclean, says Calderwood, for his behaviour in the Edinburgh riot of December 17, 1596. What that behaviour was we have explained. On August 30 Dunluce presented James with a gun, so they must have been on good terms.[28] It was the king's intention to proceed to the Isles and suppress the disorders. Calderwood represents this purpose as a mere farce.[29]

At this time (August 1598) the preachers were much vexed by the restoration of Archbishop Beaton, Mary's old ambassador, to his temporalities. Mr Patrick Simpson preached against the king at Stirling, and James, who had a passion for "brawling" in church, arose and bade him cease to meddle in these matters.[30] The churchgoers of this age enjoyed many exciting scenes of mere secular interest. In fact Sunday was the day, and church was the scene, of the most animated political debates. James's book, 'The True Law of Free Monarchies,' was published in September, and supplied much matter of discussion. By a "free monarchy" James meant a monarchy in which the king, and nobody else, is free. Like the preachers, he based his absurd and ruinous pretensions on detached texts of the Old Testament. But here the ministers had the better of the argument. The monarchies of Israel and Judah were tempered by prophets, of whom the ministers were the representatives. James overlooked that side of the question. The preachers were also offended by the Christmas revels of the Court, and in January 1599 James informed the Edinburgh ministers that, "if ye speak against me, my crown or my estate, hanging shall be the pain of the first fault."[31] The arrival of Huntly and Home gave umbrage to the Brethren, and James himself was accused of writing to the Pope (October 3, 1598).[32]

As in the case of his memorandum, captured with the Spanish Blanks, and of the mission of Ogilvie of Pourie, it is difficult to ascertain how far James was really tampering with the Catholic Powers. There was enough to justify suspicion. James (October) is said to have had a dream that Elizabeth would outlive him, wherefore he bequeathed his wisdom to his son, Prince Henry, in the book 'Basilikon Doron,' which procured for him trouble enough.[33] In November Father James Gordon, Huntly's uncle, boldly returned to Scotland, and walked straight into Holyrood. His object was to hold a public controversy with the preachers. He was taken to the castle and well treated, though the preachers clamoured for his death. The Council decided merely to banish Gordon, and execute him if

he returned. By James's desire he went to stay with Lord Seton, the preachers threatened Seton with excommunication, and there were all the materials for a quarrel. But Gordon, finding that the ministers would not meet him in argument, withdrew from the country in May 1599.[34] All these affairs, with others, made the relations between James and the Kirk unpleasant in the opening of 1599. If Elizabeth had at last frankly expressed her disbelief in Valentine Thomas's charges against the king, she was vexed that he had sent envoys to ask the aid of Protestant Powers, if ever he had to assert his claim to the English crown. Elizabeth justly censured this conduct as "indelicate," but had sent £3000 (December 31).[35] But James remained dissatisfied with Elizabeth's treatment of the affair of Valentine Thomas, which trailed on for years.

The discontent of James with the preachers found in February 1599 an outlet. In earlier days, when Bruce the preacher was a favourite, James had given him a pension out of the rich lands of the Abbey of Arbroath, once held by Cardinal Beaton. This pension James withdrew in an arbitrary manner. Bruce brought an action for recovery, and the king tried to intimidate the judges. When it came to a vote, he asked who dared to vote against him. Several rose and said that they must do their duty. The President, Sir Alexander Seton, later Chancellor Dunfermline, was particularly resolute. All honest men, he said, would vote according to their consciences or resign. The king was defeated. The interesting point is that the judges braved the king in defence of one of the preachers, though certain preachers had slandered them from the pulpit. Seton in particular had often been attacked as an idolater, especially when he was one of the Octavians. The Court of Session for very many years after this event was certainly believed to be much swayed by kinship, if not by bribes. The behaviour of the judges on this occasion is a rare example of honesty and courage on one side, on the other of James's disastrous theories of royal prerogative (March 16).[36]

These shine in his book, the 'Basilikon Doron,' a legacy of advice to his son. We hear of it in the autumn of 1598. On February 17, 1599, Nicholson, the English agent in Edinburgh, writes that he has obtained a copy.[37] At first only seven copies were printed, or at least were privately distributed. One of them, or extracts from it, fell into the hands of a St Andrews preacher through Andrew Melville. Dykes, the preacher (September 1599),

laid them, without explicitly stating the authorship, before the Synod of Fife, who humorously forwarded them to James as works of a malignant but anonymous author. Dykes had to fly, but the synod distinctly scored a trick off the king. He had said in his book that "the rewling of the Kirk weill is na small part of the king's office." "Ministers should not mell [meddle] with matters of State in pulpit." "No man is more to be hated of a king than a proud Puritan." "The Ministers sought to establish a democracy in this land, and to become *tribuni plebis* themselves." For these evils Episcopacy was the only remedy.[38] In 1603 James published his book, with a few alterations. It is easy to sympathise with his hatred of inspired tribunes of the people. But he saw no alternative except the covert, and we may say fraudulent and illegal, introduction of Episcopacy on one hand, and an attempt to erect a despotism on the other. These ideas proved fatal to his House and ruinous to public peace. But we may still ask, What course ought James to have taken? The problem of Church and State has only drifted into an illogical *modus vivendi* by efflux of years, and by weariness of warfare.

In spring and summer the State verged on bankruptcy. The Master of Elphinstone (Balmerino) at last took the Treasury (April 20), and the company of Lowland lairds attempted to get money by colonising the Isle of Lewes. It were too long to tell the story of their disasters and defeat by the Celts. In June the English Ambassador, William Bowes, coolly kidnapped an English gentleman named Ashfield. The victim, rather bemused with drugged wine, was beguiled into Bowes's carriage and driven off to Berwick.[39] This was managed by Sir John Guevara, cousin of Willoughby, who commanded at Berwick. Willoughby, to aid the plotters, had a swift yacht lying off Leith. The adventure has a resemblance in outline to the probable aim of the Gowrie conspiracy later. The arrival of an ambassador from France increased Bowes's and Robert Cecil's belief in the king's trafficking with Catholic Powers.[40] Sempill of Beltrees was sent to Elizabeth's Court to patch up peace about the outrage on Ashfield and other matters. Robert Cecil suspected that Scotland was taking the Catholic course, and unluckily the treasurer, Elphinstone, with or without James's connivance, implicated him in dealings with the Pope. Elphinstone's own account, given years later, was that Archbishop Beaton moved him to open communications with Rome. He approached

James, who only refused to call the Pope *Pater* and *Beatissime*. The object was to get Chisholme, a Scot, Bishop of Vaizon, made a cardinal. The scruple about the Pope's titles (like that of an earlier Pope about King Robert Bruce's title) caused a difficulty. Elphinstone therefore had a Latin letter drawn up in proper form (*Pater Beatissime*, and all) begging for the Bishop's promotion. As Cardinal he might disprove the calumnies against James as a persecutor of Catholics, calumnies which stood between him and the Catholics of England. This letter James was induced to sign, unread, among a heap of other documents. Such, as we shall see, was the account given later by Elphinstone (Balmerino).[41] This intrigue was probably unknown at the time to the watchful preachers; indeed, according to Elphinstone's confession, it was unknown to James, who signed the compromising letter unwittingly. The Pope's answer to the letter is extant: he regrets that James does not even remotely hint at a chance of his conversion. The story reached the world in consequence of a later controversy between James and Cardinal Bellarmine. But if the King of Scotland did not know that he had approached the Beast, and corresponded with antichrist, the Queen of England did know. In the August of the following year (1600) the Master of Gray wrote to Cardinal Borghese: "All that was done for our king in Rome last winter is as well known to the Queen of England as to the intriguers themselves, though perhaps they are not aware of it. Therefore I do not see how what was promised in the king's name can be granted, nor that what was said can be true, especially as to his religious opinions. I suppose he may favour the Catholics so far as they have not yet attempted anything against his will." The Master of Gray had not quite recovered favour with James, and was now a spy of Cecil's. He was also in communication with Borghese, and what he learned from Borghese of secret dealings at Rome he doubtless reported to Cecil in England.[42] Gray added, what was true, that the preachers had still a great deal of influence in Scotland, and that the king resisted them "in a fashion, and as far as he can, not for religion, but in defence of his own royal authority" ("pro læsa sua majestate et authoritate").

This was the correct view. Doctrinally James and the preachers were at one. The struggle was for the freedom of the secular authority. Meanwhile (1599) the preachers found matter for sermons in the permission accorded to the French Ambassador (a

Sully of Bethune) to hear a private mass. Their next grievance was the appearance of Fletcher and Martin's troop of English actors in Edinburgh. They took (by James's warrant) a house in Blackfriars' Wynd. The four town sessions forbade the public to attend the performances. The preachers were summoned before the Council. They excused themselves by saying that James had granted the players the use of a house, but not licence to act plays. This insolent evasion, put forth by Mr Bruce, did not pass. The magistrates were obliged, says Nicholson, to withdraw the prohibition on the players, and there was a quarrel with "the bellows-blowers" (as Nicholson invidiously styles the preachers) on the point of their intimating James's proclamation from the pulpit.[43] The Kirk continued for centuries to be hostile to the drama.

In November James's constant anxiety about the English succession inspired the formation of a "band" wherein his subjects promised to maintain his rights. This was known in England. The weakness of the country was proved at a convention in December, where James did not shine as a financier, his suggestions for increased taxation being shelved.[44] In November Kirk affairs had occupied a convention at Holyrood. The discussions concerned the beginnings of the introduction of Episcopacy, and turned on disputed texts in the Greek Testament. The Brethren argued that all the caveats, to secure the Kirk from bishops, would be broken if preachers with prelatic titles sat in Parliament. Andrew Melville and others reasoned the cause of the Brethren: the conference was preparatory to a discussion in the General Assembly of 1600.

In December the beginning of the year was fixed on January 1, 1600, not on March 25, as had been the usage, in itself apt to provoke chronological confusion in historical writing.

NOTES TO CHAPTER XVI.

[1] James Melville, pp. 388, 389.
[2] James Melville, pp. 390-403.
[3] Spottiswoode, iii. 53, 54.
[4] Thorpe, ii. 731.
[5] Thorpe, ii. 739.
[6] Forbes-Leith, Narratives, pp. 232-242.
[7] James Melville, p. 416.
[8] James Melville, p. 418.
[9] James Melville, p. 438.
[10] Thorpe, ii. 729.
[11] Spottiswoode, iii. 67.
[12] Thorpe, ii. 739.
[13] Mirville, Des Esprits. Paris, 1855.
[14] Hay Fleming, St Andrews Kirk-Session Register, ii. 882 and note 2. See also Introduction, lxxviii, lxxxi, whence other anecdotes are cited.
[15] Privy Council Register, v. 409, 410.
[16] Spottiswoode, iii. 66, 67.
[17] Thorpe, ii. 745.
[18] Act. Parl. Scot., iv. 142-146.
[19] Calderwood, v. 668, 670; Act. Parl. Scot., iv. 130.
[20] Calderwood, v. 695.
[21] Calderwood, v. 707-709.
[22] Thorpe, ii. 746.
[23] Thorpe, ii. 747.
[24] Thorpe, ii. 748.
[25] Thorpe, ii. 749.
[26] Nicholson to R. Cecil, August 16. State Papers, Scot., Eliz., MS., vol. lxii. No. 67.
[27] Gregory, pp. 284, 285; Tytler, ix. 285; Calderwood, v. 726.
[28] Thorpe, ii. 755.
[29] Calderwood, v. 726, Nicholson to Robert Cecil, September 2; Thorpe, ii. 755.
[30] Calderwood, v. 727.
[31] Calderwood, v. 731.
[32] Thorpe, ii. 757.
[33] Thorpe, ii. 759.
[34] Forbes-Leith, Narratives of Scottish Catholics, pp. 243-261; Privy Council Register, v. 503, 504.
[35] Thorpe, ii. 762, 763.
[36] Thorpe, ii. 767, Nicholson to Robert Cecil.
[37] Thorpe, ii. 766.
[38] James Melville, pp. 444, 446.
[39] Border Calendar, ii. 607, 608.
[40] Thorpe, ii. 771-773.
[41] Calderwood, v. 740-744.
[42] Papers, Master of Gray, p. 187.
[43] Calderwood, v. 765, 767; Thorpe, ii. 777, 778, Nicholson to Robert Cecil November 12.
[44] Thorpe, ii. 779.

CHAPTER XVII.

THE GOWRIE CONSPIRACY.

1600.

THE year 1600 is marked in Scottish history by that mysterious event called "The Gowrie Conspiracy." The political effects of this affair, in which the son and successor of the Gowrie of the Raid of Ruthven and his brother were slain by the king's servants, were considerable. England lost, in young Gowrie, an ally perhaps too devoted, and the Kirk was deprived of a leader, that is, if Gowrie was not a Catholic playing a double game. Making his advantage of the subsequent conduct of some of the preachers, James reduced their already enfeebled power, and took steps towards their more complete abasement. But his own character was blotted by the belief that he planned deliberately the slaughter of the Ruthvens, Gowrie and his brother, a point on which historians are still divided. The affair seemed to come like a bolt from a serene sky, but attention to preceding occurrences proves that, in the usual course of Scottish affairs, a plot to capture James and reinstate the party of the Kirk was due, and might have been expected. The relations of James and Elizabeth were highly unsatisfactory. As she neared her death she became even more sensitive on the question of her successor. James's secret relations with Essex, who was meditating a *coup d'état* in his interests, were suspected, if not clearly known, by Cecil. James complained that his meagre annuity was unpaid, and pressed on the publication of new books defending his rightful claim (January 12).[1] The English priest spy, Dr Cecil, had put out a tract nominally against the Scottish Jesuit, Father Crichton, but really most injurious to the character and rights of James. The book, whereof only a single copy is

known, was finished in the August of 1599.[2] Dr Cecil's whole object was to discredit James among the English Catholics. It is actually averred by him that James in 1586 wrote to Elizabeth a letter urging the death of his mother, with the celebrated words, *Mortui non mordent.* "How little would be the gain to Catholics were he to become king of three such kingdoms as England, Ireland, and Scotland." Such, as early as 1596, were the opinions of Dr Cecil. Thus among James's anxieties was the possible opposition of perhaps a majority of the English—namely, the Catholics—to his claim. He was also fretted by a proposed marriage for Arabella Stuart, the daughter of his father's younger brother. She, not being like himself an alien, might have her own faction in England, and might offer a sounder legal claim to the succession.

While these were the relations of England and the king, on April 3 the young Earl of Gowrie returned from the Continent to England. He had quitted Scotland, as we saw, when aged about seventeen, in August 1594. From October 1593 to April 1594, or later, Gowrie with Atholl had been engaged in a confederacy with Bothwell, and they had informed Cecil that they regarded themselves as subjects, or servants, of Elizabeth. The Bothwell-Gowrie-Atholl combination failed, and young Gowrie in August 1594 went abroad, and studied in the legal faculty of the University of Padua. Here he and his tutor, Mr Rhynd, were scholars, as the archives of the University show. All that is known of the young man at this period is that in 1595 he answered in a friendly manner a friendly letter of the king's, while to the minister of Perth he expressed fanatically Protestant sentiments, and a hope of remedying on his return whatever in Scotland was amiss through his absence.[3] Padua had in Scotland a name for magical studies, and after his death Gowrie was accused of having talked about the cabala, and worn a talisman, a practice then common enough on the Continent. In what year he left Padua we do not know, but the author of an unpublished vindication of his conduct says that he suffered at Rome for the truth of his religion.[4] On the other hand, Nicholson, the English resident at Holyrood, in December 1598, writes from Edinburgh that Gowrie "has turned Papist."[5] After Gowrie's death the royal chaplain, Galloway, insisted on this point: Gowrie had been trying to induce the king to negotiate with Rome. The king was his authority for this statement, uttered in the royal presence. Bothwell, in writing to the Spanish Court, reckons Gowrie and Logan of Restalrig

GOWRIE'S RELIGION.

On page 444, line 5 from the foot of the page, is quoted Nicholson's report that John, Earl of Gowrie, had turned Catholic. The author is informed that, in an unpublished letter at Hatfield, the story is contradicted by John Colville the spy.

among Catholics (Spanish State Papers, iv. 680). It is conceivable that Gowrie, in the interest of England, had been trying, under a pretence of sympathy, to find out the truth as to the incessant charges against James of tampering with the Pope.

On August 21, 1599, John Colville told Cecil that the party of the Kirk intended to bring home Gowrie.[6] Whether they sent for him or not he turned homewards, passing three months, says Calderwood, in the hotbed of Calvinism, with Beza at Geneva. He was in Paris in February and March 1599, and thither Robert Bruce, the preacher, went to call him home, as we learn from a MS. dictated by him in old age. There, too, was Lord Home, who paid a visit to Bothwell at Brussels, and came back to Scotland in April 18, incurring James's displeasure for "trysting with Bothwell."[7] In Paris also was the desperate intriguer, John Colville. To Neville, the English Ambassador at Paris, Gowrie seemed a useful agent for Elizabeth (February 27, 1600). "He was well affected to religion and her majesty"; he was to be received with honour and favour. "You will find him to be *a man of whom there may be exceeding good use made.*"[8] Now, a very useful Scot, in Cecil's and Elizabeth's opinion, was most undeniably a Scot who would capture James's person.

By April Gowrie was in London. At the English court he resided for over a month (April–May 1600) on the friendliest terms with Elizabeth, and treated like a prince of the blood, says tradition. He made the acquaintance of Lord Willoughby, governor of Berwick.

Angry with James as to the succession, suspecting his intrigue with Essex, aware of the dim traffickings between Scotland and Rome (wildly exaggerated by Bothwell's ally, the spy Colville), Elizabeth in May seized at Hull a consignment of muskets intended for the Scottish king.[9] On April 20, Gowrie being then in England, Nicholson reported from Holyrood the king's dissatisfaction with the peace between England and Spain, and rumours of a conspiracy by Douglas of Spot, Colville, and Archibald Douglas.[10] James was especially "discontented" with Nicholson himself, and his great desire was that a convention should grant him money for warlike preparations,[11] perhaps to demonstrate in favour of Essex's contemplated conspiracy.

Towards the middle of May Gowrie had returned to Scotland amid great rejoicings of welcome. It is an obvious conjecture that

Robert Cecil, Elizabeth, and Willoughby, in England, with any malcontents of the Scottish Kirk party, may, or rather must, have pointed out to Gowrie the path already indicated to him by religious prepossession, ambition, and revenge. True religion required the aid of an enemy of idolatry, like Gowrie, against a king who was trafficking with the Scarlet Woman that sitteth on the Seven Hills, and "stramping" on the Kirk. We know that the name of Ruthven and its allies were still hankering to avenge the death of "Greysteil" that Gowrie executed in 1584; at least, Colonel Stewart, who had taken part in his fall, showed a sudden desire to be employed by Elizabeth in Ireland as soon as young Gowrie came home. But the Earl seemed to be on the friendliest terms with James, who liked learned talk with a young scholar home from Italy.

We think of the king and his discourse, in Latin, with "Glenvarlochides," Nigel Oliphant, in the "Fortunes of Nigel." But Gowrie had been rather too well received by Elizabeth, with whom James was so enraged. According to Carey, writing to Cecil (May 29), the king gave Gowrie "many jests and pretty taunts" about "the great conference held with the queen's majesty, and that he had been offered some gold." The Earl said that he owed her kindness to her affection for James, and that he "had gold enough for himself." He had not; for James owed him money for his father's outlay when governor of Scotland, and Gowrie was pressed by creditors. James gave him a year's grace as to his father's creditors, and promised one day to pay him.[12] In banter "the king marvelled that the ministers met him not" when he entered Edinburgh; and Calderwood reports other taunting or tactless speeches—for example, as to Riccio's murder.[13]

The sisters of Gowrie were maids of honour to the queen, and Alexander Ruthven, his brother, made suit to be a gentleman of the bedchamber, but his suit was not accepted. Tattle alleged alternately that the queen was in love with the young Ruthven or with Gowrie. It is needless to dwell on such idle gossip. By the end of May Gowrie retired to his town house at Perth, a chateau with a garden sloping to the Tay. Nicholson, reporting this fact, announced impending storms which Gowrie might intend to avoid (May 27).[14]

A convention was to have been held in June, but the murder of the Border Warden, Sir John Carmichael, by the Armstrongs,

caused it to be postponed for some days.[15] On June 29 Nicholson reported the meeting of the convention, and the speech in which the king demanded money, with a view to securing his succession and "honourable entering to the crown of England after the death of the queen." Nothing could have been more cruelly tactless, more apt to anger Elizabeth; and an arrangement with Essex was probably in the mind of the king. The Lord President, Seton, lately one of the Octavians, a man of upright and resolute character, skilled in finance, opposed the king's demands. It was insane for a small, poor country like Scotland to hope to win by arms what could only be gained by consent of the English people. This was true; but it also seems that if, on the death of Elizabeth, Protestant England was for James, Catholic England for the Infanta, James ought to be in a position to help his own faction. But the Scots never would endure taxation for military purposes. They reckoned their feudal levies potent enough, and while the king had no money and no "waged men" they were always masters of the king. This policy had caused many disasters in war, and many sanguinary revolutions. Mary herself only acquired a small guard of musketeers in consequence of the murder of Riccio and the danger to her person.

James, as we saw, had lately admitted the barons, or lairds, to Parliament. They and the burgess members were now as recalcitrant about taxation as if they had been English knights of the shires. They offered James their swords when they were needed, and, on condition that he should never tax them again, about £4000, at most (£40,000 Scots). James refused, and demanded 100,000 crowns to be paid by 1000 persons. Gowrie replied in a speech reported by Nicholson. James was dishonouring himself by his demands, and his people by laying bare their poverty. James angrily replied he could call a Parliament and disenfranchise the lairds as easily as he had enfranchised them—a pretty example of the constitutional value of a Scottish Parliament. The laird of Easter Wemyss retorted that they had paid for their seats, and would have the seats conferred on them in 1587. The convention broke up, and Robert Cecil learned, from a cyphered and anonymous despatch, that James "intends not to tarry upon her majesty's death, but take time so soon as without peril he can." This message was probably a piece of mere mischief-making.

The Government was bitterly in need of money. Nicholson again

and again refers to the poverty prevailing. The islands were (as is shown later, in an account of Highland affairs) unusually turbulent. The king had intended to conduct an expedition himself to take order with Kintyre and Isla; "but," writes Nicholson, "the 'rode' to the isles is deferred on account of the great scarcity in the country" (July 22). At the same time James was gratified by the recantation of his old enemy, John Colville, the spy and ally of Bothwell. This man had either written a book against James's legitimacy, or such a book had certainly been attributed to him. For years he had been a spy half out of employment; Cecil would not pay, and he became an agent of Essex. An exile in France, this once earnest professor was now converted to Catholicism. He wrote a recantation of the book attributed to him against the king's legitimacy, and was reconciled to Archbishop Beaton in Paris. The recantation pleased the king; but Colville continued to spy for the English Ambassador in France, spied his way to Rome, and begged of the Pope. He died, in deserved poverty, not long afterwards.[16]

As we approach the Gowrie mystery, it may be observed that Colville and other agents of his kind perpetually flattered Cecil and the English ministers with promises to kidnap the king of Scotland. Such hopes are a regular element in their letters.

As to Colville, this needy, vindictive, and desperate man, writing to Essex from Scotland (?) on April 29, 1598, makes the following strange promise: "And for the service I mind to do, if matters go to the worst, it shall be such, God willing,—if I lose not my life in doing thereof,—as no other can do with a million of gold, and yet I shall not exceed the bounds of humanity. But for conscience' sake and worldly honesty I must first be absolved of my natural allegiance."[17] Colville has just been speaking evil of James, and now he promises to do a desperate and treasonable deed, "within the bounds of humanity" (that is, not involving murder), a deed which only he can do. This means kidnapping the king. He elsewhere drops a similar hint (October 20, 1598).[18]

We now draw near that fifth of August which James ever afterwards kept as a public holiday in memory of his escape from the Gowrie conspirators. Gowrie himself, with his brother, the Master, was hunting in Atholl during the latter part of July. His mother, Lady Gowrie, was apparently at the house of the family in Dunkeld.[19] At the beginning of August the court moved from Holy-

rood to Falkland, a charming palace of the modern French château order, unfortified, save for the strong round towers and the gateways. In spite of time and restoration, Falkland is still, perhaps, the best example of grace and comfort in a Scottish royal residence of great age. The park and woods were well suited for sport, and in these woods, as we saw, Bothwell had once hoped to trap the king along with his huntsmen.

It appears from the treasurer's accounts that, late in July, letters were sent from the court, then at Edinburgh, to the Earls of Atholl and Gowrie, and from Falkland to the Master of Ruthven, and to Drummond, lay Abbot of Inchaffray. We know nothing of the contents of these letters, which have been conjectured about by writers on the mystery of the Gowrie conspiracy. We learn, however, from an unpublished MS. that James had been trying to induce Gowrie to resign the teinds of Scone (which James had presented him with for life) to his younger brother.[20] To this matter the letters may have referred; nothing is known. On one of the last days of July a kinsman of Gowrie, Alexander Ruthven (the ancestor, in the female line, of the present house of Ruthven), rode from Dunkeld to Gowrie's hunting lodge in Atholl (Strabane). On Friday, August 1, Gowrie sent Captain Ruthven from Atholl to tell his mother that "he was to come," and the confused language of his servant, Craigengelt, who deponed to this, makes it probable that Lady Gowrie was then at Dunkeld. If so, she left at once for Gowrie's Castle of Dirleton, now a beautiful ruin near the sea hard by North Berwick.[21] To Lothian—according to the contemporary Vindication in MS., to Calderwood, and to Carey (writing to Cecil from Berwick on August 11)—Gowrie himself intended to go on August 5. Most of his men and all his provisions were there already, says Carey; but Gowrie never saw Dirleton again.[22]

We now reach August 5, the day of the Gowrie tragedy. Something must first be said as to the evidence. It is vitiated, on the king's side, by his theory that *murder* was intended against him by the Ruthvens, whereas the plot, if plot there was, must have been merely one out of scores of schemes for kidnapping the royal person, and working a revolution in favour of England, the Kirk, or Rome. Nothing was reckoned more constitutional. The evidence, again, in the nature of the case, is mainly that of the king, and of a mysterious personage, corroborated in part by James's retinue, and by citizens of Perth and others, who were present. The opponents

of James, contemporary or modern, discount this evidence, as a rule, where it does not suit them. But the most important witnesses declined, on the most essential points, to say things quite necessary to the success of their cause, or even to stretch a point, where the temptation was great and obvious. Again, the discrepancies between the versions of the king, and of the other most important witness, are so manifest, being publicly acknowledged by James himself, that, on the theory of collusion, they could not have occurred. The stories, if collusive, would have been brought into harmony before they were laid before the world and a court of justice. Of course, had this been done, opponents would have called the very harmony suspicious. No two men can give absolutely identical accounts of the same sudden, confused, and startling occurrence, as daily experience proves.

Our earliest testimony as to the events of August 5 is Nicholson's account of the letter written for the king to the chancellor and others on the night of August 5. The substance of this letter was orally narrated by the secretary to Nicholson at Edinburgh on the morning of August 6. In such circumstances, where we have, first a hasty letter, then an oral repetition of its tenor, and then that tenor redescribed, absolute accuracy is impossible. But the account is, essentially, that which James always gave.

We now turn to James's official version, a pamphlet sent by Nicholson to Robert Cecil as early as September 3, 1600. This version we can check by the depositions of witnesses. His majesty says that he went out to hunt, in beautiful weather, between six and seven in the morning. He and his suite were clad in green—the king, as we know to have been his custom, wearing a hunting-horn, and no sword. The Master of Ruthven accosted him before he mounted. Why was Ruthven at Falkland so early? That he was there the lay Abbot of Inchaffray, Drummond, with many others, declared; the abbot asked him to breakfast, but Ruthven declined. To James, apart, Ruthven told how, the night before, he had caught a fellow with a pot of gold, and, unknown even to Gowrie, had shut him up in a private room,* "and locked many doors behind him." James, after saying that he had no claim to the gold, was induced to suspect that it was foreign gold (as Ruthven implied) brought in for seditious purposes. He, therefore, said that he would send a

* The word used is "house," often equivalent to "room" in Scots, and so employed elsewhere by James.

warrant to Gowrie and the bailies of Perth to examine the fellow, and take care of the money. Ruthven replied that the money, in that case, would be ill counted, and insisted that James should follow him at once. The king characteristically preferred to hunt first, and discuss afterwards. James rode after the hounds; Ruthven remained, and despatched one Andrew Henderson, a retainer of his family, who was with him, to tell Gowrie that James could not be expected for three hours at least. This James tells from report; he saw no companions with Ruthven. Now the Abbot of Inchaffray saw only Andrew Ruthven with Alexander Ruthven after James rode away from Alexander. We do not find, in fact, that any witness deponed to seeing Andrew Henderson at Falkland.

Here we must, for a moment, desert the king's narrative. The point—Did young Ruthven send Henderson from Falkland to Lord Gowrie at Perth with the message that the king was coming?—is of central importance. If Henderson, leaving Falkland about seven, reached Gowrie about ten, then the visit of the king did not take Gowrie by surprise. He had time to order luncheon. This he did not do; he appeared later to be surprised by the king's arrival. If he really was surprised, then he had not laid a plot to bring James to his house. But if Henderson did ride about half-past seven from Falkland with the news of James's coming, as he swore, and if he reached Gowrie about ten o'clock, then Gowrie's failure to prepare for a royal guest, who came at one o'clock, was meant as part of his pretence that James had arrived uninvited. The inference must be that Gowrie was engaged in some disloyal enterprise. And there was good evidence from gentlemen of honour that Henderson did reach the Earl about ten o'clock, and the modern defenders of the Ruthvens have to allege that Henderson had not been at Falkland at all, but had only ridden two or three miles out of Perth on some trivial errand, and returned. But the contemporary MS. Vindication of the Ruthvens alleges that Henderson really was at Falkland with Ruthven, and did carry the message about the king's arrival. Why, then, did he arrive, not at ten, but after noon? This the contemporary apologist answers by omitting the king's long hunting of some four hours—seven to eleven—and making Henderson arrive in Perth about half-past twelve. The evidence that he came to Gowrie about ten is excellent; and the contemporary apologist of the Ruthvens had no scruples whatever in admitting his presence at Falkland.

The whole question is, Had James summoned Ruthven to Falkland before seven in the morning, and then pretended that Ruthven had invited *him* to Perth? Or, did Ruthven invite James to Perth, and warn Gowrie, by Henderson, of his success? while Gowrie pretended not to have received any such news from Henderson. The Ruthven apologist (1600), by admitting that Henderson brought the news, while falsifying the hour of his arrival, raises a very strong surmise in favour of the second alternative—Gowrie was bringing the king to Perth for no good, and no avowable purpose.

Returning to the king's narrative, he goes on to say that, during a check, he sent some one to find Ruthven. To Ruthven he announced his intention to ride to Gowrie's house when the hunt was over. James was thrown out by this delay, but followed, and they killed about eleven o'clock. Ruthven would not let him stay to see the deer broken up (*la curée*), or wait for a second horse, which was brought after him at a gallop, or even to put on his sword. Lennox and Mar did wait for their second mounts (the hunt ended close to the stables), and followed, though Ruthven wished James to prevent them. His action made James think Ruthven but dubiously sane; and he whispered his doubts to Lennox, who, at the trial, corroborated the king's statement. Lennox "did not like" the story of the pot of gold, and James bade him keep near his person whenever he went alone with Ruthven. But Ruthven now insisted, says James, that the king should be alone with him at the first view of the gold. James rode on, much bewildered "between trust and distrust," he says. Ruthven then sent Andrew Ruthven to warn Gowrie, and himself quitted the king at a mile from Perth, and rode forward to see his brother. Gowrie left his dinner when Ruthven arrived, and met James with some sixty men (his apologist says, with four only) on the Inch. The king had to wait long for his dinner, the cook having to beg for grouse here, and mutton there, and eke out with pastry.

Gowrie, as was said, had given out before that he was going to Lothian that evening, and had sent his "provisions" thither. This, if true, confirmed Ruthven's story that Gowrie knew nothing of his ride to bring the king, and was wholly unprepared. James was impatient for a view of the gold, but Ruthven begged him to say nothing in Gowrie's presence. During the delay one of the retinue, Sir Thomas Erskine, sent his servant to the town to buy

him a pair of green silk hose to dine in comfortably.[23] At last James dined, Gowrie standing in attendance with Ruthven, in a room off the hall, and often leaving the chamber. In the hall the suite were met, dropping in at intervals. At first they were thirteen in all. Their dinner came later than James's, and Gowrie entered the hall, bidding them drink "the king's scoll," or pledge. They all then rose, and expected James; but Gowrie said, "His majesty was gone up quietly some quiet errand,"—so Lennox, Mar, and others averred. As soon as Gowrie left the inner room for the hall, James bade Ruthven bring Sir Thomas Erskine, but Ruthven implored James to come alone with him. The pair walked through the end of the hall, and this was the last that his suite saw of the king till James, very red, bellowed "treason" and "murder" out of a turret window.

Meanwhile, just after James and Ruthven passed across the hall, Gowrie led Lennox and others, but not Mar, who visited the room where the king dined, into the garden beside the Tay. Here they ate cherries, while Ruthven took James upstairs through three or four rooms *en suite*, locking each door behind them. Later, we only hear of resistance from one locked door, though two, at least, were locked—one from the gallery into the chamber, one from the chamber into the turret. That a man so nervous as James permitted this may be explained by the circumstance that he had dined. The Rev. Patrick Galloway averred that the doors "checkit to" with some kind of spring lock (sermon of August 11).[24] At all events locked one door was, for the king's retinue, later, could not force a way in, though they broke a hole in the door. No critic questions that fact. If it is hard to see why James let Ruthven lock the doors, it is impossible to believe that he locked himself in alone with Ruthven, or that the porter, or James's page, Ramsay, had been bribed to do it, as has been suggested. But locked a door was.

Finally, the pair reached the turret, off a chamber off the gallery. This turret had a door which Ruthven locked. If the long gallery had a door, that was not locked, but locked was the door between the gallery and this chamber, and locked now was the door between the chamber and the turret. Therein was nothing but a man (namely, Andrew Henderson, as was later averred), said by James to have worn a dagger, secret coat-of-mail, and "plate-sleeves." Ruthven now put on his hat, drew the man's dagger, held the point

to the king, and "avowed that the king *behoved to be at his will, and do as he list.*"

James, according to his tale, behaved with great coolness (as when Bothwell captured him in Holyrood), bade Ruthven uncover, and promised to be absolutely secret about the whole affair if it went no further. Ruthven was now in a dilemma. There was no use in killing James, and, with a witness present who certainly would not help him to bind James, what could he do? According to the system of secrecy (which Gowrie is said to have applauded, shortly before, in talk with the Rev. Mr Cowper, who told Spottiswoode), Henderson had not been prepared for his part. A healthy Highlander or Borderer, of the Gowrie clientage, would either have aided Ruthven (in which case James would have been trussed like a chicken), or would have boldly taken the king's part. Henderson merely trembled and murmured. Ruthven now lost his head. He made James swear that he would not cry out or open the window, and he left the turret, locking the door behind him. He said that he would consult Gowrie, but that he found to be impossible probably; Henderson thought he lurked outside the door.

Gowrie, we saw, when James went upstairs, took Lennox and others into the garden. While they were there, and while James was upstairs, one Mr Thomas Cranstoun, a retainer of Gowrie, approached them, saying that James had mounted, and was riding through the Inch.

Cranstoun (who was tortured, tried, and hanged) admitted that he did bring this "report and bruit,"[25] but in good faith. From that moment Gowrie was fully occupied and surrounded by people. Ruthven either found this out when he left James locked up in the turret, or, more probably, suspected that he could not consult Gowrie, and merely loitered about, confused and irresolute. James, meanwhile, finding that the armed man, by his confession, knew not wherefore he was there, bade him open the turret window, which he had promised not to do with his own hand. The man, as James told him, opened the *wrong* window, not the window giving on the gateway. Gowrie, in the garden, on hearing Cranstoun's message that the king had ridden off, called for his horse, which, as Cranstoun told him, was at Scone, two miles away.

The arrangement is obvious. It was to be said that the king had ridden homeward, his suite would follow, and be out of the way, Gowrie would not be able to accompany them (as was his duty),

because his horse, unluckily, was at Scone, across the Tay, about two miles off to the east. This was well planned; but here the system of secrecy again proved fatal. The porter, Christie, not trained in his part, denied that James could have ridden out, he himself had the key of the back gate in his pocket, or at his girdle. Gowrie give the porter the lie, and said that he would ascertain the truth.

Now, at this point Gowrie's conduct is wholly incompatible with innocence. We give the facts in the words of Lennox: "I am sure," said Gowrie, "that the king is forth; nevertheless, stay, my Lord Duke, and I shall go up and get your lordship the verity and truth thereof." And the said Earl of Gowrie passed up, and incontinent came down again into the close, and he affirmed to the deponent "that the king was forth at the back gate, and away."[26] Inchaffray and Moncrief corroborated. Nicholson's letter of August 6 tells the same tale. It is impossible to doubt the fact. Gowrie went up the great staircase, and returned once more, assuring the gentlemen that the king had ridden away. Whether he met the Master (which is improbable), or not, Gowrie deliberately lied. Except on a theory of wholesale perjury by Lennox and others, it is certain that Gowrie, after pretending to go and inquire, falsely alleged that James had left his house. For this he could have only one motive, to get the royal suite to ride off and leave James alone to his fate. The lords then went to the front gate, and thence into the street, awaiting their horses, and talking over the matter. Had Gowrie not led to their arrival on that side of the house, the cries which James presently raised would not have been heard by his retinue.

While these things were happening downstairs young Ruthven had again rushed into the turret; probably he had not seen his brother; probably he had been deliberating on his desperate situation. He declared that James must die; but, instead of stabbing him, tried to bind his hands with a garter later found on the floor of the room. James snatched away his left hand and leaped free, making for the turret window. Ruthven seized and tried to gag him with his hand, but the window was pushed up, and the gentlemen outside heard the king yell "Treason!" and saw his face very red, and a hand at his mouth. Lennox, Mar, and others at once ran into the house by the main front entry, and up the chief staircase, but could not force the door which the Master had locked.

Soon, as they battered at the door, they heard a noise of fighting within.

The cause was this: while Ruthven and James fought and wrestled in and out of the turret and adjoining chamber, young John Ramsay, a page, hearing James's cries as he stood about the stable door, ran up a small narrow winding stair, not noticed by the others, which led into the chamber giving on the turret, and was nearer him than the main door and great staircase. Either Henderson opened or unlocked the door, or Ramsay drove open the door, and caught a glimpse of a figure (Henderson) by the door, but took no heed of it, as he found Ruthven and the king struggling. Ruthven was still trying to gag James with his hand; James had "got Ruthven's head in chancery." James shouted, "Strike low, he has a secret mail doublet," and set his foot on the hawk's leash; Ramsay cast loose the king's hawk, which was on his wrist, and struck high at Ruthven's face and neck. James later admitted that he might have bidden Ramsay spare Ruthven, but, as he said, "Man, I had neither God nor devil before my eyes, but my own defence." He thrust the wounded Ruthven down the steep cork-screw staircase, while Ramsay, from the turret window, bade Sir Thomas Erskine come up. Erskine, like the others, had heard the king's cry from the window, he ran towards the house, and meeting Gowrie outside, some distance from the front door, called him "traitor," and tried to seize him. "What is the matter?" asked Gowrie. A crowd of his retainers separated Erskine from him, and then Erskine heard Ramsay's call from the turret window. Dr Hugh Harries (a man lame from a club-foot), and another man, Wilson, ran with Erskine up the narrow stair, stabbing young Ruthven to death as they passed. They found James safe; but Gowrie, with some of his men, including Cranstoun, was close on their heels. There were now in the larger chamber, which had a door opening into the turret, the king, Ramsay, Harries, Erskine, and a servant named Wilson. As James had no sword, his friends locked him into the turret and stood on guard. Calderwood says that only Gowrie and Cranstoun fought against the king's four men; on the other side, the king's party averred that at least seven other men were with Gowrie. Several witnesses later saw some of them bleeding; they fled and would not appear when summoned. They were two Ruthvens, two Moncriefs, and one Eviot.

The position of James was now alarming. Only the door of the

turret separated him from the chamber where his four friends fought six or eight of the Gowrie party, while the locked door between this room and the gallery rang with hammer-strokes, dealt by whom? That this really was James's situation, alone, locked up, a crowd hammering at one door, an unequal fight swaying to and fro in the chamber from which but a door separated him, is absolutely certain. Was James the man to put himself in such a perilous place on the off chance that his friends might have the better of Gowrie's? The friends of this hypothesis also maintain, inconsistently, that James was an abject coward.

The hammers rang, the swords clashed in the chamber next the turret where the king stood alone. In the melée several men were wounded on both sides, but Ramsay at last ran Gowrie through the body. Most writers aver that Gowrie, hearing an opponent cry, "You have slain the king," dropped his points (he had twin swords in one scabbard), and that Ramsay then lunged at him.[27] Gowrie fell dead, his retainers fled; Ramsay and the others let James out of his turret, and with a hammer passed by the Lennox party through a broken panel opened the locked door, at which Mar and Lennox with their men had vainly battered. Even now, according to Lennox, some of the Gowrie faction struck under the door (from the staircase) with halberts, and wounded one of the Murrays who was with Lennox and the king. On hearing Lennox's voice these assailants ran, and the king with his party, kneeling on the bloody floor where the dead Gowrie lay, offered their thanks to Heaven.

To suppose that James wilfully put himself within reach of these perils as part of a plot to murder the Gowries, is to show extreme credulity. How things were probably planned is plain enough. Henderson should have helped Ruthven to master and gag James; the royal suite should have ridden off after their king, said to have made for Falkland, then James would have been carried, perhaps on horseback, down the north side of Tay to Dundee, or across Fife to Elie, and shipped for Dirleton. When the courtiers, not finding trace of the king, rode back to Perth, the Ruthvens (with his majesty) would be on their way, nominally to Dirleton, really perhaps to Fastcastle. That so many men attended the king was what Ruthven, according to James, had tried to prevent. Gowrie's nervous anxiety, while he was with James alone in the small inner dining-room, is easily explained; the king was too well attended. But the Master

of Ruthven persevered, he could not desist, for he could not explain away his story of the pot of gold. Henderson failed him, the rest was despair and action without a plan. Thus construed, the whole affair is intelligible; otherwise it is not.

To the townsfolk one fact only was clear: their young provost and his brother were slain. The town bells rang, rumours flew about, the people gathered: men and women, shaking their fists at the windows of the house, cried, "Come down, green coats, ye have committed murder," and clamoured for revenge. James spoke from the window, he called in the bailies, he showed the dead and told the tale, the people were persuaded to return to their houses, but the sun had fallen before James could ride through the lingering rainy twilight back to Falkland. Next day, as we saw, news from James arrived in Edinburgh. There were some who said that Nicholson, the English resident, had been seen at Leith, in the dawn of August 6, awaiting news from beyond the Firth of Forth, a rumour which he indignantly denies. In Edinburgh the preachers found that they could not conscientiously preach, as desired, against *treason*, "seeing the king made no mention of treason in his bill," and the reports of courtiers varied among themselves. David Lindsay, a preacher, arrived from Falkland, the preaching was entrusted to him; he harangued at the Cross, and the guns were fired.

The brothers of the Ruthvens fled from Edinburgh to Dirleton, and thence to Berwick. They were young boys, but James, who raged against all that dangerous house, had sent to apprehend them. At court, where Beatrix Ruthven was dear to the queen, there had been lamenting, and the name of Anne of Denmark was mingled in the suspicions and tattle of the gossips, with talk about a magical amulet of Gowrie's which, probably, as we have said, he was foolish enough to wear in a kind of "medicine-bag." Such things are worn by gamblers unto this day. Lord Hailes proves that the practice was very common, abroad, in Gowrie's time.

Meanwhile at Falkland efforts were being made to clear up the plot. The unhappy Mr Cranstoun, Gowrie's equerry, a brother of Cranstoun of Cranstoun, was wounded and could not fly. He had been in France for more than ten years, and had returned with Gowrie. On August 6 he was examined, no doubt under torture. He had not seen Gowrie or Ruthven, he said, to interchange six words with them, for a fortnight. They had been in Atholl, and

the mention of a fortnight looks as if they had gone thither about July 20. Nothing could be got out of Cranstoun. On August 16, Craigingelt, Gowrie's caterer or under-steward, was examined. Nothing could be extracted from him as to a conspiracy. But he had been unaware of Ruthven's early ride to Falkirk. Meeting the Master, booted, on the stairs, when he returned, Craigingelt asked him "where he had been?" who answered, "An errand not far off." This answer, obviously, was intended to disguise Ruthven's long ride to bring James from Falkland to Perth. Craigingelt asked why the king had come? Ruthven replied, "Robert Abercromby, that false knave, had brought the king there, to cause his majesty take order for his debt." Ruthven, in this story, had only met the king casually, when himself returning from "an errand not far off." As to Robert Abercromby, it has been suggested that he was a creditor of Gowrie for sums disbursed for the king, by the first Earl, executed in 1584. We have seen that James, in June, had given Gowrie a year's exemption from pursuit of creditors. Moreover, he appears to have himself satisfied this Robert Abercromby, who was his saddler. Under the treasurership of the first Earl of Gowrie, and of his successor Sir Robert Melville, James, up to 1594, had owed Abercromby more than £5000 Scots. But, in 1587, James had promised Abercromby twelve monks' "portions" of the abbacy of Cowper, these including the "portions" of dean and sub prior. This gift or payment (part payment probably) was ratified in the Parliament of 1594.[28] If any of Gowrie's father's debt, really the king's debt, to Abercromby, was unliquidated in 1600, still, Gowrie had an exemption, and it was an impossible story of Ruthven's that the king was acting as debt-collector. It seems of a piece with Ruthven's "errand not far off." Craigingelt had been in arms during the tumult. He, Cranstoun, and one Barron, also seen in arms, were hanged. On August 20, Gowrie's tutor, Mr Rhynd, was tortured. He spoke of Gowrie's talisman; his other evidence was not important, but he said that Andrew Ruthven told him, in Gowrie's presence, that he, Henderson, and the Master, had been at Falkland. He had previously told the minister of Perth, Cowper, that Gowrie was wont to argue on the necessity of secrecy in "high and dangerous purposes." To Cowper, Gowrie had recently said the same thing, *à propos* of a passage in a book, not identified, which Cowper found him reading.

None of these men knew of any plot. The great object at Falk-

land was to find the man in the turret. Where was he? and who was he? Ramsay, entering the turret, caught only a glimpse of a man behind the king. After he wounded Ruthven the man had vanished like a ghost. And where was Andrew Henderson? Calderwood (who is not invariably correct) tells us that the turret man was first advertised for as "a black grim man," a Mr Robert Oliphant, M.A. But Oliphant had an *alibi;* it is necessary to keep an eye on this gentleman. Two or three other persons were suspected: one was slain when trying to hide, and Calderwood says that Galloway preached before James, and said that the man of the turret was slain.[29] The turret man had vanished, and Henderson had disappeared. He had been seen returned to Gowrie House, booted, from a ride, by two gentlemen named Hay, and by Mr John Moncrief, who were with Gowrie on the morning of August 5. To a question of Moncrief's, Henderson had replied that he "had been a mile or two above the town." Hitherto no man had any later knowledge of Henderson. He was not seen in the brawl at the house, or among the townsfolk. The Ruthven apologist declares that he waited on the lords who dined in the hall; Calderwood, that he was said to have been seen in the kitchen, and Perth tradition avers that he was at Scone all day, and only heard of the tragedy as he crossed the bridge on the way home to Perth. Meanwhile, though Henderson had vanished like the man in the turret, nobody knew why he had fled. He had done no harm. Even if he had ridden to Falkland and back with the Master (which nobody could prove) there was no harm in *that.* Andrew Ruthven had made the same journeys, and there is no sign that he was molested. But Henderson had fled, as had five gentlemen, friends or cousins of the Ruthvens, who had been with Gowrie in the fight in the chamber, and, later, had been conspicuous in the riot. On August 12 these men and Henderson were denounced for not appearing to give evidence when summoned.[30] The others had reasons for absconding, because they had been at sword strokes with the king's friends, but what reason had Henderson? Now, as two men had disappeared, he of the turret who had good reason to be afraid, and Henderson who had none, it was an obvious inference that Henderson and the turret man were one and the same.

This fact became apparent even before Henderson was denounced on August 12. On Monday, August 11, James had entered Edinburgh in state, and, seated on a carpet at the Town Cross, had

heard his chaplain, Galloway, tell the story of the tragedy to the people. Galloway gave the king's version, and ended by producing a letter sent by Henderson from his place of hiding. Henderson was factor, or chamberlain, of the lands of Scone, Galloway had been minister of Perth, and knew Henderson well. The preacher produced the letter, any one who knew Henderson's hand might examine it. The extract read was to the effect that, early on August 5, Gowrie sent Henderson to ride to Falkland with the Master, and to bring his message. On Henderson's return Gowrie bade him put on his secret coat of mail, and his plate sleeves, and to wait for the Master, and do as the Master ordered him. Later, the Master locked Henderson up in the turret. He now suspected treason and betook himself to prayer. The Master led the king into the turret, and, said Galloway, "the rest differs almost nothing from what you have heard," that is from the king's narrative.[31]

Between August 12 and August 20, Henderson delivered himself up as a kind of king's evidence. On August 20 he was examined at Falkland by the Council, James not being present. He adhered to his tale about being locked up, armed, in the turret, and corroborated James for the rest; except that he said he wrested the dagger from Ruthven's hand. He also declared that Ruthven asked James to make a "promise," the nature of which Gowrie would explain. It has been fancied that this promise referred to Gowrie's debts. But it is not to be supposed that the Ruthvens would attempt to extort such a promise by secluding the king in a closet with an armed man. They would be guilty of treason to no purpose, for no such extorted promise could be binding. Possibly the word "promise" got into Henderson's memory from the parallel passage in the king's narrative, where "promise of life" to James is mentioned.[32] Henderson, in fact, tried to disguise his own poltroonery. James added his deposition to his own narrative, printed at the end of August, with the warning that, if Henderson's contained discrepancies, "they were uttered in his own behoof for obtaining of his majesty's princely grace and favour."[33]

Before the trial, held by the Parliament in Edinburgh, in November, for the forfeiture of the Ruthvens, Henderson was examined before the Lords of the Articles. His evidence was much to the same effect as before, he adhered to his wresting of the dagger from Ruthven, but there were variations about opening the window.[34]

On these points Hudson, who interrogated both the king and Henderson, wrote sensibly to Cecil from Edinburgh, on October 19:[35]—

. . . I have had conference of this last acsyon, first w^th^ the king, at length, and then w^th^ Henderson, but my speache was first w^th^ Henderson befoar the king came over the watter, betwixt whoame I fynde no difference but y^t^ I oath alegethe takinge the dager frome Alexander Ruthven, w^ch^ stryf, on the one part, maie seame to agment honor, & on the other to move mersy by moar merit: it is plaen y^t^ the king only by God's help defendid his owin lyff wel & that a longetyme, or els he had lost it: it is not trew that Mr Alex. spok w^th^ his brother when he went out, nor that Henderson unlokt the door, but haste & neglect of Mr Alex. left it opin, wherat Sr Jhon Remsay entrid, and after hime Sr Tho. Ereskyn, Sr Hew Haris & Wilsone. That it is not generally trustid is of mallice, & preoccupassyon of mens mynds by the minesters defidence at the first, *for this people are apt to belive the worst & loath to depart frome y^t^ fayth.*

The other witnesses, Mar, Lennox, many of James's retinue, friends of Gowrie, and burgesses of Perth, gave, before the Lords of the Articles in November, testimony to all that they had observed.

Parliament condemned the Ruthvens, their dead bodies were mutilated, their lands were forfeited, and shared among those who had been with the king. Henderson was allowed to retain his factorship, and received a pension.

Now Henderson's tale was not easily credible How could the Gowries expect a man, armed, but unapprized of what was expected, to aid in seizing the royal person? The world thought either that Henderson was suborned to tell his tale, there having been no man in the turret at all; or that the king somehow had him locked up in the turret, or that he had really been initiated into the plot, but had lost courage when confronted with his task. The first suggestion is impossible. James would not, on the evening of the occurrences, make his narrative turn on a non-existent man in the turret, and then take the chance of finding a person ready to swear to be that man. The second idea, that James could suborn a factor of Gowrie to be locked up, armed, in a turret of Gowrie's own house, and that unknown to the Earl and his brother, is absurd. But the third theory, that Henderson had been initiated into the plot, had been unable to reveal it or refuse to join it, and had played the weakling at the crisis, is not improbable in itself. Henderson, if approached by Gowrie, would not dare to refuse to join his master, still less would he risk torture by revealing a conspiracy which he could not prove.

Here comes in Calderwood's Mr Robert Oliphant, who was originally suspected of having been the man in the turret, but proved an *alibi*. Though no historian has remarked the fact, Oliphant let out that, both in Paris and in Scotland, Gowrie had asked him to play the part of the man in the turret. Oliphant was a gentleman, brother of Oliphant of Bauchiltoun. He tried to dissuade Gowrie from the enterprise, but, failing here, withdrew from Perth before the fatal day. This talk, held by Oliphant in a house in the Canongate at the end of November or beginning of December, leaked out, and came to the knowledge of the Privy Council, so Oliphant "fled again." This we learn from Nicholson, writing on December 5, 1600.[36]

On the same day the affair appears in the Acts of Caution (in the Privy Council Register). Much later, in 1608, Oliphant was arrested in England, and was in prison for nine months, but his captor, a Captain Patrick Heron, did not appear against him, and he was released.[37] If Oliphant spoke truth, and is correctly reported, it follows that Gowrie had the plot in his mind before his return from France, and it is probable that Henderson had been taken into the conspiracy, but had "fainted" (as Oliphant said) at the critical moment. He then made his peace by his revelations. The defenders of the Ruthvens do not explain why Henderson ran away and hid if he had no part in the transaction.

The sceptics at the time, including Mr Robert Bruce, said that they would believe Henderson's tale if he were hanged and adhered to it on the scaffold. Had this occurred they would still have disbelieved, and would have declared that Henderson was bribed by promises of benefit to his wife and family. As a matter of fact, Mr Bruce, after first cross-examining the king, believed that he was innocent of any plot against the Ruthvens, but guilty of passion in bidding Ramsay strike the Master, so Calderwood says (vi. 156).

For the reasons already given, the writer believes that Gowrie, a very young man,—familiar, probably, with romantic incidents of Italian conspiracy,—had really contrived a plot against the king. If so, the nature of his intentions after securing James remains obscure. The idea clearly was to bring the king, with only three or four servants, to Gowrie House early in the day, when the people were in church. His seclusion and capture would not then be very difficult if Gowrie's retainers preferred the Earl to their king.

James heard of an English ship that hung off the coast, not communicating with the land, but intending, the king thought, to aid Gowrie. He spoke of this to Nicholson (September 3).[38] Conjecture is vain, but the author's suspicions point towards Roger Aston (who drops out of the correspondence for a year), and to Sir John Guevara, Willoughby's cousin at Berwick, the kidnapper of Ashfield, as allies of Gowrie. The link between Guevara and Gowrie may have been that genial traitor, burglar, and pirate, Logan of Restalrig, whose impregnable keep, Fastcastle, is perched on a perpendicular sea-cliff between Berwick and Dirleton. On this point the reader is referred to the new disclosures to be found in Appendix B. The subject is too complex for discussion here, and we conclude that the theory of an accidental brawl is untenable (for James was locked in, and Gowrie deliberately lied as to his departure), while James could not have arranged for Gowrie to lie and so bring his retinue to the place where his cries for aid were heard. Accident is impossible; a plot by James is impossible; and we infer that two very young men devised a scheme on romantic lines, but blundered over the enterprise. This is made more probable by the extraordinary tissue of falsehoods contained in the hitherto unknown Vindication of the Ruthvens in MS. It is throughout impudently mendacious, but was all the case that its author could offer to Cecil through Carey.

Now began the trouble with the Edinburgh preachers, especially Mr Robert Bruce. The arguments of James with these men, and Bruce's replies, fill many pages of the friendly Calderwood. The other preachers were suspended. Bruce was banished at the end of October. It is curious that he passed a night or two at Restalrig, Logan's house, before he set sail. "Mr Robert returned to Restalrig upon Thursday, at night, the penult of October," says Calderwood. Mr Robert was in very bad company, if Logan (accused of being in the plot) was at home.

Another kind of suspiciousness was rife; England was thought to have been Gowrie's ally, and the tone of Elizabeth, in her congratulatory letter to James on his escape, is extremely tart. (August 21.) She says that she hears "her funerals have been prepared." "Think not but how wilily soever things be carried, they are so well known that they may do more harm to *others* than to me. . . . The memory of a prince's end" (that is, apparently, reflection on James's narrow escape) "made me call to mind such usage, which

too many courtiers talk of, and I cannot stop my ears from . . She also spoke of a rumour that James meant to hand Prince Henry over to Catholic teachers. James warmly denied these imputations which hint at a plot of his own against Elizabeth's life. She had never satisfied him about Valentine Thomas, and probably suspected him of dealings with Essex, whose enterprise had brought him to the Tower.[39] Elizabeth softened her expressions, but the mist of suspicions grew, and we find Bothwell's old ally, Locke, writing to Cecil about "a party" whom Cecil has conferred with, and who is to do something secret, and be rewarded after perform ance. He was Ogilvie of Pourie.[40]

James and his queen were at odds about the Gowries. Nicholson's gossip on the topic need not be accepted, though it blew widely abroad, and, if accepted, it proves nothing. The queen was fond of Beatrix Ruthven, and, womanlike, believed what she chose to believe.

Bishops were introduced and voted at the November Parliament which forfeited the Ruthvens; they were Lindsay, Gledstanes, Douglas, and Blackburn.[41] The stubborn incredulity of the preachers as to the Gowrie conspiracy, and their natural reluctance to preach on a given subject and to a given effect, had lent James his opportunity. From the point of view of the ministers, to yield here was to yield all. "The Spreit of God" inspired them with what they were to utter in their sermons. Now, if their minds were not absolutely convinced of the Gowrie treason, the Spirit, of course, would not permit them to denounce it. We really cannot blame them here, for the innocent heirs of Gowrie had not yet (before December 15) been forfeited. Thus, as we look at things, James was actually commanding the preachers to go into their pulpits and be guilty of contempt of court. To his mind, however, and he was not wrong, the preachers were throwing doubt on his personal word of honour. They would not believe that things had passed as he said, and swore that they did pass, and (Henderson apart) the king's, in the nature of the case, was the only evidence. Thus James fought for his royal and personal honour—if he was a liar he was also a murderer—while the preachers fought for their consciences and their inspiration.

On October 14, at Holyrood, there was a meeting of the fourteen Royal Commissioners of the General Assembly with the Privy Council at Holyrood. James had ousted five Edinburgh preachers,

and their places had to be filled up. He sent James Melville and two others of the Commissioners to consult on a delicate point with the "outed" preachers, and, in the absence of the three, got the remaining divines in to nominate three of the bishops already mentioned. Their sees were Aberdeen, Ross, and Caithness, because in these sees alone could a handful of the temporal wealth of the old Church be recovered.[42] The king, however, had not yet wedged "the horns of the mitre" securely into the fabric of the Kirk, and the situation of his three new bishops contained the seeds of long wars that were to be. It might be disputed whether the Commissioners who accepted the bishops had power to act for the Kirk; their concession needed ratification by a General Assembly. Mr Gardiner looks on the bishops as holding rank derived only by a civil appointment from the Crown, by prerogative and Act of Parliament. They were inevitably led to interfere with the affairs of the Kirk, which this odd kind of bishops had no legal right to do, being hampered by "caveats." They would be opposed by the preachers "whose cause was the true cause of all spiritual and moral progress in Scotland, who in the highest sense were in the right, even when they were formally in the wrong." This is the usual judgment of historians. The precise ministers represented "progress spiritual and moral." Unlike the king, nobles, and bishops, the preachers did not follow "the uncertain guide of temporary expediency." [43]

We are compelled to see matters in a different light. The preachers who sympathised with the anarchism of Bothwell, or sheltered with Logan of Restalrig,[44] or approved of raids upon the royal person, followed expediency just as other politicians did. They were often the agents, sometimes the spies, of a foreign and unfriendly country—England. They were less often formally in the wrong than the king was. They were highly moral men, despite their festive free lances like Bothwell and Logan. But their morals did not prevent Bruce from calling for the death of Henderson merely as an experiment in evidence. Two despotisms, two claims to absolute power, were in conflict,—the claim of inspired prophets, the claims of an anointed king. "Progress" was equally impossible under either claim. The two irreconcilable forces, each of them incompatible with the freedom of the State and of the individual, were obliged to destroy each other. Meanwhile James had bishops voting in Parliament. But the impossibility of en-

dowing the sees, and the attempts of the Crown to do so out of the alienated Church lands, combined with the horror of anything that looked like the services of the old faith, were to produce the Civil War.

During the stress of these affairs Charles I. was born at Falkland, on November 19. His mother had just passed through agitations only second to those of Mary before the birth of James VI. An old anecdote avers that the child's nurse once found a spectral cloaked man rocking the cradle: this, of course, was the enemy of mankind, and James drew the darkest omens from the phenomenon.

The year 1600 ended, leaving James "a free king" as regarded the resistance of the Kirk, but still plagued by deadly feuds among the nobles. Huntly and Argyll were not yet reconciled; the Maxwells and Johnstones, the Ogilvies and Lindsays, the Clan Gregor and the rest of the world carried on their ancient vendettas, and in Ayrshire began the series of crimes connected with Mure of Auchendrane. Scotland was still anarchic.*

* Persons curious as to the Gowrie conspiracy will find the case against the king stated in Mr Louis Barbé's interesting volume, "The Tragedy of Gowrie House" (Gardiner, Paisley, 1887). The author has considered Mr Barbé's arguments carefully, but remains of the opinion that the plot was a Ruthven, not a royal conspiracy. He has made a full study of the case, and of the fresh manuscript materials in "James VI. and the Gowrie Mystery" (Longmans, 1902).

In writing this and the preceding chapter, I had not before me Major Martin Hume's interesting "Treason and Plot," based partly on uncalendared papers at Hatfield. Major Hume thinks that James at this period was deep in plot with Rome and Spain. He speaks of "the many letters now before us in which James does pretend his desire for reconciliation with Rome" (p. 419, note i. p. 420). I have no knowledge of any such letters later than the one of 1584. From the Pope's answer to the disputed letter sent by Elphinstone in 1598, it is clear that James, if he wrote this epistle, made no pretension of a desire to change his creed—his Holiness regrets the circumstance. "Lord Hume was sent to Paris and to Italy . . . to beg for recognition" (May 1599), says Major Hume (p. 380). Lord Hume went to Paris and to Brussels to meet Bothwell—much to James's annoyance—to Italy he did not go. The "advertisements" of John Colville, a starving spy in exile (1599), are "sensational" rumours not worthy of consideration. His myths are recorded by Major Hume (p. 380), and long ago by Tytler (ix. 313, 314). If the wild tales were true, James rejected the Papal offers of 100,000 crowns down, and 2,000,000 to follow! That James had received abundance of Spanish or Roman gold is impossible. We know, from Nicholson, and from the reports of the financial Convention of June 29, 1600, that he was desperately needy. Compare Major Hume, "the encouragement and money he was getting from the Catholic powers . . ." (p. 395). It was Colville's business to send in what is now

called "scare news," and he did so, but was so easily detected by his English employers that he turned Catholic "for a morsel of bread." For these and other reasons, I must venture to dissent from the conclusions of Major Hume, till evidence of a more satisfactory sort is produced. At most, I think, James wished to pose as a tolerant prince, despite his persecution of his Catholic subjects.

NOTES TO CHAPTER XVII.

[1] Nicholson to Robert Cecil, January 12, 1600; Thorpe, ii. 780.

[2] Reprinted by Mr T. G. Law, Miscellany of the Scottish History Society, vol. i.

[3] Pitcairn, ii. 330.

[4] State Papers Scotland, MS. Elizabeth, vol. lxvi., No. 52.

[5] Thorpe, ii. 762. Contradicted by Colville in an unpublished letter.—Hatfield MSS.

[6] Hatfield Calendar.

[7] Winwood Memorials, pp. 37, 146; Border Calendar, ii. 645. For Bruce's mission to a person whom in 1624 he calls "The Master of Gowrie," see Wodrow's "Life of Bruce," p. 10, 1842.

[8] Winwood Memorials, p. 156.

[9] Thorpe, ii. 782.

[10] Nicholson to Robert Cecil, April 20, 1600.

[11] Thorpe, ii. 782, 783.

[12] Arnot's "Criminal Trials," p. 373.

[13] Border Calendar, ii. 659.

[14] Thorpe, ii. 782.

[15] Thorpe, ii. 783.

[16] Colville's life is traced in the preface to "Letters of John Colville," Bannatyne Club.

[17] Hatfield Calendar, viii. 147.

[18] Hatfield Calendar, viii. 309.

[19] This appears to be the sense of Craigingelt's statement in Pitcairn, ii. 157.

[20] State Papers, Scotland, Eliz., vol. lxvi., No. 50, published for the Roxburghe Club in "Gowrie Conspiracy, Confessions of George Sprot" by myself.

[21] Pitcairn, ii. 157.

[22] Border Calendar, ii. 677. Carey says that Gowrie was moving to a house of his "where his mother lay": she was at Dirleton. (Cf. Calderwood, vi. 46.)

[23] Evidence of Henry Balnaves: "Was in the lodging before the tumult. Past forth, at the request of Sir Thomas Erskine, to buy him a pair green silken shanks."—Pitcairn, ii. 199.

[24] Pitcairn, ii. 249.

[25] Pitcairn, ii. 156.

[26] Pitcairn, ii. 173.

[27] Spottiswoode gives this version, as does: "The True Discourse of the Late Treason," State Papers, Scotland, Eliz. vol. lvi. No. 50, MS.

[28] Act Parl. Scot., iv. 83, 84.

[29] Calderwood, vi. 73, 74.

[30] Privy Council Register, vi. 149, 150.

[31] Pitcairn, ii. 250, 251.
[32] Pitcairn, ii. 215, 222.
[33] Pitcairn, ii. 218.
[34] Pitcairn, ii. 174-179.
[35] State Papers Scot., Eliz., MS. vol. lxvi., No. 78.
[36] S. P. Scot., Eliz., MS. vol. lxvi., No. 107.
[37] Privy Council Register, 1600, 1608, 1609, *s.v.* Robert Oliphant.
[38] S. P. Scot., MS. vol. lxvi., No. 66.
[39] Tytler, ix. 365, 367; Letters of Elizabeth and James (1849), pp. 132, 133.
[40] Thorpe, ii. 788 (83).
[41] Calderwood, vi. 99, 100.
[42] James Melville, p. 489; Register Privy Council, vi. 164, 166, and Note.
[43] Gardiner, i. 522, 523.
[44] Had Bruce stayed not in Logan's house, but in the village of Restalrig, Calderwood would probably have written "Restalrig toun."

CHAPTER XVIII.

JAMES SUCCEEDS TO ELIZABETH.

1601–1610.

THE new year (1601) was marked by the despatch of ambassadors to sound England and Elizabeth, and by almost unusually dark and hostile intrigues of Cecil. Before the end of the year, however, he had abandoned these efforts in favour of a secret understanding with James. The court was rife with quarrels and intrigues, and James Melville kept alive the "griefs" of the Kirk, with the vehemence of his brother, while the king summoned the General Assembly in secular fashion by proclamations at market crosses. The ambassadors who set out for London in February 1601 were the Earl of Mar and the lay Abbot of Kinloss. They left Scotland in the middle of February, and made their way to town at the pace of a funeral procession. In a sense it *was* a funeral procession. Essex lay in prison for his famed "one day's rebellion," an attempt, in the Scottish manner, at a raid on the person of Elizabeth. Essex, before he was taken, managed to burn most of his papers, especially one which he wore in a bag about his neck, and which only contained six or seven lines. Now, about Yuletide 1600, Essex, Southampton and others had attempted to establish a cryptic correspondence with James. They worked through Norton, the publisher, whose office was in St. Paul's Churchyard, but who had a branch establishment in Edinburgh. He carried Essex's document, recommending that Mar should be sent as ambassador to London by February 1, 1601. James was to reply by a letter "in disguised words of three books," whether a book cypher, or by using book-titles as cant names of the plotters. James's answer may have been the tiny paper which Essex wore in a bag, and

burned when his enterprise failed. Essex was searched, naked, for this bag on February 18, 1601, but he had destroyed it.[1] Essex had even prepared instructions for Mar on his arrival as ambassador. Their general purport was to warn him that Cecil would thwart James's succession in favour of the Infanta of Spain. This was a wild theory, but Essex added, with truth, that Cecil had done James many ill offices. That was well known to the king, who told his two ambassadors that Cecil and the English ministry would certainly refuse all their requests, "to force me to appear in my true colours, as they call it."[2] Essex's instructions for Mar were revealed by his secretary, Cuffe, to Cecil, and were not likely to secure a gracious welcome for Mar and Kinloss.[3]

Earlier dealings between Essex and James, the request that James would make a military demonstration on the border, James's ambiguous reply, were known to Elizabeth. The king, in February 1601, was bidding his ambassadors ask her for a plain statement, engrossed in the national records, that he had never conspired against her. This he demanded as a check to any effort to defraud him of the succession on the score of such attempts. But Elizabeth, as if he referred only to the affair of Valentine Thomas's charges, declined to revive old scandals by meeting James's wishes.

While Essex, after these attempts at intrigue with James, lay in prison, expecting death, it was inconvenient that Mar and Kinloss should arrive in London. They therefore delayed, and came after his execution. The king commanded them to study the situation between Elizabeth and her people, to find out whether they were dissatisfied with her personally, or with her ministers only, to urge his claims, not merely to the crown, but to the Lennox estates in England, to ask for money, to try to secure the interest of the city, of the Lieutenant of the Tower, and of the fleet. They were plainly to warn Cecil and his followers that James, when king, would use them as they should now use him. It is not certain whether Mar and Kinloss bluntly told Cecil what James was threatening. Cecil himself was, in fact, working against James after the accustomed Tudor policy. Since Henry VII., every English king had sent his agents to spy, to disturb, to enlist rebels and traitors, to encourage the discontents of the godly, and the enterprises of the nobles, north of Tweed. In 1601 Cecil was playing the old game. He was employing Ogilvie of Pourie, James's

self-styled envoy to the Catholic powers, and a new spy, Thomas Douglas, as thorns in the side of the king. Ralph Gray, residing at Chillingham, not far from Flodden, and the Master of Gray himself,—(he had returned from France just after the Gowrie affair),—harbouring at Chillingham, were also Cecil's agents in mischief. "Lord Willoughby" (at Berwick) "has many errands in Scotland"; he had repudiated any share in the Gowrie conspiracy, in fact, he was not at Berwick when that affair occurred.* Cecil was also engaged in a very obscure intrigue with a Scot named Francis Mowbray, who, in January 1603, died of hurts received in an attempt to escape from Edinburgh Castle, where he lay on a charge of conspiring against James's life. In 1602 Cecil seems to have been treating with this Mowbray for the purpose of fully discovering his plot, and communicating it to James.[4] But, in the spring of 1601, Cecil's dealings with Mowbray are dark.[5]

Whether Mar and Kinloss plainly delivered James's threat to the English intriguer or not, Cecil came to terms with them. They met in the office of the Duchy of Lancaster in the Strand. It was arranged that James should not publicly pester Elizabeth with his claims, and that Cecil's commerce with James should be kept a secret. Lord Henry Howard was to write to Kinloss for Cecil, and he acted as an intermediary so verbose, and, in addressing James, so crawlingly abject and hyperbolically fulsome, that his secret correspondence is most distasteful reading. The rudeness of the preachers is not so repulsive as the exaggerated and slavish oriental flattery of the peers and divines of England, with whom James henceforth had to do. In the preface to our Bibles we have a fair or rather a moderate specimen of the style which was to confirm James in his fatal theory of prerogative and Divine right. Language heightened by an age of servility to Gloriana, was yet higher spiced for the unaccustomed but greedy ears of the king of Scotland, in the secret despatches which Howard wrote for Cecil. "The correspondence," says Mr Bruce, the editor of the letters not already published by Lord Hailes in 1766, "began between March and June 1601." The later date is the more probable. Mr Bruce, an opponent of James, admits that Cecil had other strings to

* The execution of an auctioneer for hanging up the king's portrait on the gibbet seems cruel (Nicholson to Cecil, April 20, 1601). But the man obviously meant to taunt James as the murderer of Gowrie. He "is to be challenged for the filthy act" (May 20, Thomas Douglas to Cecil).

his bow (the Master of Gray for one), and "occasionally found it difficult to repress the disposition to make assurance doubly sure," on the side of James.

In his first letter to Cecil James denied that he had ever been in treasonable relations with Essex, and promised to keep Elizabeth's minister on in his old situation. He keeps addressing Cecil as "My dearest 10" (the cypher name), and, after October 1601, James was fairly safe from the chance of finding Bothwell in his bedroom or Restalrig under his bed, at least as far as Cecil could control and direct such enthusiasts. His domestic peace was less secure. His queen was still sore about the deaths of the Ruthvens, and the dismissal of Mistress Beatrix. Howard and Cecil especially distrusted Anne, James's wife; they must never be well spoken of, they said, in her presence. She passed the year, as she usually did, in quarrels with James's ministers and favourites, such as Sir George Home and Sir Thomas Erskine. Whatever her husband did was wrong, apparently, in this lady's opinion, and so Howard and Cecil had reasons for distrusting her. The political year ended with James's offers to aid Elizabeth in Ireland. From the intrigues of Cecil, now rallying to the Rising Sun, he was safe. Ogilvie of Pourie, too, gave trouble, trying to extort blackmail from the king, probably, but he was reduced to denying that ever he was commissioned to do James's errands of secrecy in Flanders, France, and Spain—a pretence which, as we saw, caused great scandal.[6]

In ecclesiastical matters the year was comparatively peaceful. James Melville was in bad health, and could only send letters to the brethren, while Davidson, who also expressed himself in a letter, was at first "warded," but, later, set at liberty. A General Assembly, at Burntisland in May, did little beyond deciding that the country was about to run either into papistrie or atheism, considerable defections from the standards of the Kirk. It was decided that the converted Catholic peers ought to be more visited by ministers, and that the "planting" of preachers in desolate parishes was desirable. The Edinburgh preachers who had doubted James's account of the Gowrie plot were to be transported to other districts. It was a grievance that James made August 5, the day of his deliverance from the Gowries, a holiday with preachings. He took this festival to England with him, and some of the sermons which the English prelates preached on Gowrie Plot day are remarkably false and

fulsome. A Scottish preacher named Blythe emitted a sermon against pardon granted by James for manslayings, "and worse." "Worse" was a supposed pardon to Ogilvie of Pourie, who, after being captured on the English border, had come north, partly to do what he could for himself with James, partly in the service of Cecil.

In the spring of 1602 that resolute disbeliever in the king's word, Robert Bruce, who had an interview with Mar and Kinloss in England during their embassy, was allowed to come home, and met the king. A kind of "dour" tactlessness was displayed by Bruce. The king asked him if he was "resolved,"—that is, if his doubts as to the Gowrie matter were removed. Bruce said "Yes." "How?" asked the king. Bruce said by Mar's oath. Now James, in earlier interviews, had given Bruce both word and oath, perhaps too many oaths. The man, therefore, was calmly telling James that he accepted Mar's oath, but not the king's. James observed that Mar neither heard nor saw anything of the chief events. "How then could he swear?" Mr Bruce did not know. He was still unsatisfied about the real matter at issue, "the part which concerned your majesty and the Master of Gowrie," young Ruthven. "Doubt you of that?" said the king, "then you could not but count me a murderer?" Bruce's answer was amazing. "It followeth not, if it please you, sir, for you might have some secret cause."

That "secret cause" could only be what rumour averred, an amour between young Ruthven, or Gowrie, and the queen. To have Ruthven stabbed in his brother's house for that or any other secret cause would have been murder, as James had said. Mr Bruce's morality was as peculiar as his manners. "The king heard him gently . . . which Mr Robert admired." He might well "admire," as, but for Mr Bruce's cloth, any man would have been justified in kicking him downstairs. He would sign a profession of belief, but would not utter it in the pulpit, because it was "a doubtsome matter." "I give it a doubtsome trust." This odd moralist would sign an expression of belief in what he did not believe. Mr Bruce was internally praying all the time, which exercise appears to have confused his mind.[7] But Mr Bruce was at last convinced, as we have already said, that James was guiltless of any plot when he left Falkland on the morning of August 5, 1600. It is not an enemy who reports these things, but the sympathetic Calderwood. He later offered to be plain in the pulpit "as I shall find myself to be moved by God's Spirit"—the old intolerable pre-

tence of direct inspiration. At the risk of tedious repetition it must again be said that this claim of direct, not to say miraculous illumination by the Deity was the real stone of stumbling on which the Kirk tripped. In Covenanting days, nearly a century later, a certain Euphan M'Cullan, of Kilconquhar, in Fife, was fervent in prayer. She prayed for the life of a preacher named Carmichael who was in bad health. "The Lord left me not a mouse's likeness, and said, 'Beast that thou art . . . he'" (Mr Carmichael) "'was but a reed that I spoke through, and I will provide another reed to speak through.'" Mr Henry Rollock was provided, but, Euphan thought, was an inferior reed. Her words are cited from "The Memorials of Mr John Livingstone" by Lord Hailes.[8] Not only preachers, but prayerful men were apt to be directly inspired by God, as some of the slayers of Archbishop Sharp were, according to their own account. There is no way of dealing with men like Bruce and all who held his views. He might have said frankly, "I cannot subscribe, as a man of veracity, a statement in which I do not believe." But he was ready to sign. In the pulpit it was otherwise, there he was "a reed" breathed through by Omnipotence. He did sign his resolution, not as convinced, but as following the law, "till God gave him further light." In July Andrew Melville was "gated" for a short time within his own college.

The new year, 1602, opened prosperously, with a victory of Elizabeth's forces, in Ireland, over Tyrone, "forced to retire to the woods, and play Robin Hood there," wrote Nicholson. Ker of Cessford was raised to the peerage as Roxburghe, and strict measures were taken in his border region against Grahams, Armstrongs, and other moss troopers. The Master of Gray was received into favour, probably because, as a kinsman of the Ruthvens, he had mollified the queen's anger about their fall, and reconciled her to Sir Thomas Erskine, Sir George Hume, and other courtiers. James pacified the ancient feuds of Moray, Huntly, and Argyll.[9] He communicated to Elizabeth certain overtures from France, and removed her suspicions (July). "She thinks that King James will have none of any league if she be not one in it."[10]

The General Assembly met at Holyrood, in November—though it had been, in the last meeting, appointed for July, at St Andrews. The king's preacher, Patrick Galloway (he who induced Henderson to confess about his doings in Gowrie House), was appointed Moderator. James Melville gave in a protest against the post-

ponement of the Assembly and the meeting in Holyrood Palace. Whatsoever should be done contrary to the constitutions of the Kirk would be null, he said, and of no effect. The preachers who had visited the converted earls, found that only Errol was at all satisfactory. Huntly could not go to his parish kirk, the parishioners were such mean men! This denoted a lack of enthusiasm. Angus could not be got at, but was reported to entertain professed enemies to religion. The faithful of Fife complained that the land had been "defiled" by the saying of mass for the French ambassador. The General Assemblies, too, it was urged, were now unconstitutionally kept. They were told that the law of 1592, as to keeping of Assemblies, had been duly observed; so we understand the reply. The bishops were not objected to, at least under that name, but the "caveats" had not, it was complained, been inspected or discussed. "Let the 'caveats' be looked to," was the answer. The endless affair of Mr Robert Bruce came up. On June 25 of this year (1602), at Perth, he had signed a statement of his belief in James's innocence and the guilt of the Ruthvens, and offered to divert "as far as lies in me, the people from their lewd opinion and uncharitable constructions. . . ." This was Bruce's plain duty, for the resolute scepticism of so notable a man of God naturally confirmed the people in their certainly "lewd opinion" that the king was a deliberate murderer, liar, and robber. The Assembly was asked,—If Mr Bruce thinks the king innocent, and is ready, as he avers, to do his best to persuade the people to that belief, ought he not to express it from the pulpit? The Assembly, "after voting, thought this not only reasonable, but also concluded that the said Mr Robert ought to do the same."

Mr Robert now—and this is very curious—retired, of all places, to Restalrig. This ought to answer such cavillers as John Carey, who, in 1598, spoke of the pious Logan of Restalrig as "a principal man of the Papist faction," merely because Logan had harboured George Ker, the bearer of the Spanish blanks, when on a secret mission.[11] Mr Bruce was apparently a friend of Logan (under grave but then unawakened suspicion as to the plot), to whose house of Restalrig (unless we are to suppose that "Restalrig toun" is meant) he betook himself on occasions demanding meditation and prayer. His difficulty now was, that he would not preach in favour of James's innocence (though he said that he believed in it) "by injunctions." So the endless war of words and of distinctions as

to injunctions went on ceaselessly. We cannot pry into the intricate delicacies of a good man's conscience. Mr Bruce thought that James yielded to passion when he bade Ramsay to strike Ruthven. The next Assembly was fixed for July, in Aberdeen, 1604.

On January 5, 1603, Elizabeth wrote her last letter to James, ending "Your loving and friendly Sister." In March her health absolutely broke down. The horrors of her latest days are no part of our subject. She died at Richmond in the earliest morning of Thursday, April 1, and by Saturday night Robert Carey rode into the gates of Holyrood with the news. On the fourth day thereafter came the tidings that James had been proclaimed in London.

James left Edinburgh on April 5, and, after a festal progress, with stops at the houses of the nobles, entered London on May 6. After hundreds of years of war the two portions of the island were united under one king. It is natural to pause for a moment, and reflect on the nature and fortunes of the man whom events had made the link between the ancient enemies. James is a personage so grotesque, in many of his habits so repulsive; so treacherous, so wedded to ideas of absolute royal power—based on a reading of Scripture as fallacious as that of his great adversaries, the preachers —that we are apt to overlook his qualities. Qualities he must have possessed. He had a strong sense of the ludicrous. Thrown as a yearling child into the perfidy and anarchy of Scotland, his person a mere symbol of authority, like the great seal, at which any adventurer might clutch; imperilled by the plots of any party that was backed by the wealth and the intrigues of England; James had, in some way, survived every peril, and had floated over all the billows and cross-tides into the haven of the English monarchy. He had not tact; he had often endangered his claims by rudely and inopportunely pressing them. He had seldom application; most of his time was given to sport and to study. Of economy he was ignorant and careless. Yet the man who, while he rode so much, could read so much, who while apparently always in the saddle, had learning so considerable, must have possessed a certain rapidity of genius. As he said of himself, he had a turn of speed. Though devoted to favourites he could recognise loyalty, as in Mar, whom he trusted, he said, "like a brother," and he could defend Mar resolutely and successfully against the intrigues of the queen, which were peculiarly active at the very hour of the departure for England. While nothing is more odious in James than his accept-

ance of money from the hands of the slayer of his mother, yet, undoubtedly, a war of revenge would have been ruinous to Scotland, pernicious to England, and an endless cause of disunion.

A more sympathetic prince would have taken up arms; wisdom dictated peace. James, fond of favourites as he was, continued to repose on the sagacity of Cecil, despite his countless personal reasons for hating that statesman. Though of a petulant temper he was capable of self-restraint. He had contrived to dominate the two strongest opposing currents, the lawlessness of the nobles and the pretensions of the preachers. When he left Scotland there was no noble who dared to play the part of a Murray, a Morton, or of either Bothwell. He had reconciled the greater feuds, as of Argyll and Huntly; the smaller feuds and private wars died out slowly under the influence of contact with England. It cannot have been mere luck that brought James home after the perils of nearly forty years. His chief danger had ever been the Tudor policy of maintaining divisions and anarchy in Scotland, with the inevitable result of encouraging the tendency to turn to the Catholic powers of the Continent. From these perils the country henceforth was free. James's dim traffickings with Spain and the Pope had always been reluctant; they were forced on him by Elizabeth. Often warned that a few thousand pounds would make Scotland friendly and pacific, Elizabeth had preferred the dangers and ultimate expenses of hostile intrigue. This policy was ended. The Borders, that focus of war, ceased technically to be the Borders.

On the question of religion James was fated to sow the wind. His own private opinion is given in one of his secret letters to Cecil, containing "the inward temper of his mind," as Sir Robert said. James had complained of the increased confidence of the English Catholics, who boasted, "that none shall enter to be king there but by their permission." Cecil replied that, as to the Catholic priests, "I shrink to see them die by dozens, when, at the last gasp, they come so near loyalty." He had only voted for the penal laws because he regarded the priests as "persuaders to rebellion." But he had no mercy for Jesuits. James had wished to see the latest edict against Catholic priests put in force: the king explains, "I will never allow in my conscience that the blood of any man shall be shed for diversity of opinions in religion," but the temporal results, in rebellion, "the arch-priest with his twelve apostles, keeping their terms in London, and judging all questions as well civil as

spiritual amongst all Catholics," these things he could not endure. "I am so far from any intention of persecution, as I protest to God I reverence their Church as our mother Church, although clogged with many infirmities and corruptions, besides that I did ever hold persecution as one of the infallible notes of a false church." He wished, not the deaths of priests, but their expulsion.[12] In England, as in Scotland, James had to bear ecclesiastical meddling with temporal affairs. His own personal attitude towards belief was modern; but he had to do with another condition of affairs, in which all political questions were made religious questions. When he became king of England, persecution of Catholics, for secular reasons, was to cause the Gunpowder Plot. In Scotland, practically in the interests of the freedom of the secular State, James was to intrigue and break the law to keep down the preachers; and the pursuance of this policy, trenching on convictions narrow but sincere, was to be one of the causes of the great Civil War. That war we may deem inevitable: irreconcilable forces, impossible claims by either party, caused the strife. The real history of Scotland henceforth is more than ever ecclesiastical.

When he crossed the border James left behind him a number of the Privy Council to rule Scotland. They were the working administration directed by his majesty's letters. He governed Scotland, he said, by the pen. There was this disadvantage that, remote from the scene, he did not know, and was not often told, the temper of the country. When at home every day occurrences, usually uncomfortable, kept him informed. Safe, at a distance, out of hearing, he ventured on measures which, had he lived among his subjects, he would not have dared to attempt. One useful reform he made (August 11)—he established a small force of mounted constabulary. A body of forty horse was raised to deal with disorder, to hunt down "horners," that is, proclaimed outlaws.[13] Scotland had hitherto been practically destitute of police. In the matter of deadly feuds it had been usual for the parties engaged merely to put forward "cautioners,"—guarantors that they would keep the peace, which they were already required by law to do. Persons engaged in feuds were henceforth to be imprisoned and heavily fined. There were also proclamations against needy Scots who flocked into England without license, and made their country to stink in the nostrils of the Southrons. James took measures, too, for settling a scheme of the complete union of "Great Britain," as

he called it, but the time was not ripe, and the negotiations dragged on for years to no purpose.

The chiefs of the Scottish Government were, first, that notable octavian of 1596, Alexander Seton, the President of the Court of Session, created Lord Fyvie, and, later, Lord Dunfermline. Sir George Hume was presently created Earl of Dunbar, and was an active and unscrupulous minister. The Secretary was Elphinstone, now Balmerino, who soon fell under the consequences of the feeble and obscure traffickings with Rome, while still James was king of Scotland only. Sir Thomas Hamilton (later Earl of Haddington), known as Tam of the Cowgate, remained King's Advocate. He was accomplished and learned, a notable antiquary, and collector of the manuscript materials of history. He, too (as we see in the account of the trials of Sprot and Logan),[14] was not the most immaculate of legal officials. Straiton of Lauriston became undesirably notable for his dealings, as Royal Commissioner, with the Kirk and the General Assembly. Gledstanes, Archbishop of St Andrews, and Spottiswoode, the historian, who had succeeded Mary's old ambassador in France, the aged Beaton, as Archbishop of Glasgow, with other bishops, were also of the Privy Council.[15] There were many other members, especially among the nobles, including Mar, but the most active and prominent have been named. They took their orders from James, and executed them to the best of their power.

The affairs of the Kirk continued to be of most importance. In England James had to take up the tangled ecclesiastical problems bequeathed by Elizabeth. While the instincts of England remained attached to such relics of vestments, order, and ritual as the Reformation had spared,—the cap, the surplice, kneeling at the Holy Communion, the use of the cross in baptism, of the ring in marriage,—the preciser sort regarded all these things as rags and remnants of Rome. Men have fought and will brawl about such trifles as these, and the temper of Christianity has been and will be wasted over matters hardly apt to breed a quarrel in a nursery. "Greatly to find quarrel in a straw" of this kind, however, was, on both sides, a matter of conscience and a point of honour. "They fight for great causes, but on small occasions," says Aristotle, and the Hampton Court Conference of January 1604 showed what part James was to take in the struggle. In every corporate body there must be some rulers. Perhaps human wisdom might have

reconciled Puritans to the surplice and the ring, or induced Anglicans to tolerate the absence on occasion of these objects. To the Puritans preaching was the one thing supremely needful, and being, as a rule, the more intelligent of the clergy, they were apt to have the larger congregations. James had no objection to good preaching which did not interfere with secular affairs. But he fired up at some reference to "the bishop and his presbyters," and broke into language highly unworthy of his blood and of the occasion. The Nonconformists should conform, he said, otherwise he "would harry them out of the land, or else do worse." He was said to have "spoken by inspiration of the Spirit." Sir John Harington, who was present, said "the Spirit was rather foul-mouthed." James bade the Puritan divines "away with their snivelling." "He wished that those who would take away the surplice might want linen for their own breech."[16] No question, however essentially trivial, which involved the consciences of men could be handled in this temper. Large numbers of Nonconformist divines were ejected from their livings. The House of Commons was justly offended. James was sowing the wind with both hands, and his measures against the Catholic priests brought on the Gunpowder Plot.

The Synod of Fife had been active, as usual, in Scotland, and sent representatives to Aberdeen, for a meeting of the General Assembly (July 1604), though James had prorogued that Assembly, as it clashed with a meeting of the Commissioners to consider the Union of the two countries. The parliament of July listened to a letter from the king about the Union, and restored some forfeited Bothwellites, Douglas of Spot and Thomas Cranstoun.[17] On September 27, James issued an order forbidding the preachers to gather conventions without the Royal assent.[18] In July 1605 James again put off the Assembly. Having heard that the ministers meant to meet, he forbade this action (June 20, 1605). The royal commissioner, Straiton of Lauriston, went to the northern town and attempted to dissuade the gathered preachers, nineteen in all, from disobeying the king. However, they were resolute, though the Moderator of the last Assembly was not present to hand on the golden chain of continuity. They had elected a moderator and a clerk, when Straiton, the royal commissioner, interrupted their proceedings. They asserted themselves to be a lawful Assembly, which Straiton denied. He bade them quit the Assembly, under pain of horning, and they obeyed, adjourning to a day not appointed by

James. Straiton asserted, the friends of the preachers deny, that he had forbidden the Assembly, by proclamation at the Cross, before it was constituted. Much legal argument turned on the truth or falseness of this averment. About ten more ministers came on July 5, and threw their lot in with the other nineteen brethren. Among these was Mr Welsh, in early youth a Border thief, next a highly unpopular minister at Selkirk. Ayr was now his charge, and he had married a daughter of John Knox. He was an uncommonly resolute man, and a descendant of his was a famous Covenanting minister. Few persons did more, in the pulpit, in prison, or in exile, than Mr Welsh to hand on the old Presbyterian claims and principles.

What James ought to have done in this pass is not very clear. The Assembly at Aberdeen had been held, so to speak, in order to keep the right of way open. The Kirk, by the law of 1592, had a distinct right to a yearly General Assembly, but the conditions of royal acquiescence and appointment of day and place might be diversely interpreted by lawyers, nor dare we venture on so thorny a subject. The preachers had good reason to fear that James was about to withdraw the right of meeting. They represent themselves as meeting legally, dispersing obediently, and treat Straiton's assertion that he had proclaimed the Assembly unlawful, before it was constituted, as "a false and deadly lie."[19] Very probably the king's best plan would have been to let the thing pass and avoid making martyrs. However, on July 19, 1605, he wrote to the Council, denouncing the preachers as seditious, and avowing his intention to oppose the beginnings of treason. The ministers had spoken of obeying "as far as might stand with the Word of God and the testimony of their conscience," that is, just as far as they pleased. Their prorogation till September was without the king's assent requested or granted; on this point James asked for legal opinion, as he meant to use the rigour of the law.[20] This was James's blunder: the Privy Council, left to themselves, would not have prosecuted in a cause so doubtful and perilous. James believed, probably correctly, that the stauncher preachers had passed the year in forming a strong party and securing votes. He found that the northern Presbyterians were no longer to be trusted to "go solid" for him. Among the nineteen preachers who met, and the ten who adhered to them, were representatives from Nig, near Tain; from Hawick, on the Border; from Fife, and from Ayr in the south-west Lowlands. The length and breadth of Presbyterian Scotland were engaged, "from north and

south, and east and west, they summoned their array," though the numbers actually present at Aberdeen were small. Their motive, as we said, was to keep the right of way open; for this purpose, before dispersing, they fixed a date for an Assembly in late September.

It is dangerous to deal with the law of the case, but, probably, James might have out-manœuvred the godly. "That golden Act," as Calderwood styles it, the fifth Act of the twelfth Parliament of James VI. (June 5, 1592), regulated thus the meetings of the General Assembly: "And thus ratifies and approves the General Assemblies appointed by the said Kirk, and declares, that it shall be lawful to the Kirk and ministers, every year at the least, and oftener, *pro re nata* (as occasion and necessity shall require), to hold and keep General Assemblies, providing that the King's Majesty and his Commissioners with them, to be appointed by his Highness, be present at the General Assemby before the dissolving thereof; nominate and appoint time and place when and where the next General Assemby of the Kirk shall be kept and holden."[21] Now the king *and* his commissioners were not present at Aberdeen. Straiton, the commissioner, was in the town, and wandered feebly in and out of the little gathering. But neither he nor James appointed time and place for the next Assembly. The preachers themselves did so, and thereby broke, we think, the golden Act. James need have taken no official notice of them. He might have appointed a date for an Assembly, not the preachers' date. It is almost certain that the majority of the representatives would have attended the King's Assembly, not the apparently illegal Assembly convoked for September by the nineteen. These zealous men would have been obliged either to hold their own September Assembly in opposition to the king's, or, by coming to his Assembly, to confess, practically, the illegality of their own. Possibly two Assemblies would have met and mutually excommunicated each other. The Kirk would have been broken up into two factions, as it was, much later, by the Protesters and Remonstrants, and by the Indulged and the refusers of the Indulgence. But this easy stratagem, so congenial both to James, and to the lawyer minds of the Kirk, did not occur to the angry monarch. He entered on a system of prosecution which irritated men's tempers, made martyrs, and could not be carried through save by bullying and cajoling and disreputable influences. James had no great cause for anxiety. He was safe in

England. It is improbable that the great nobles would have backed the Kirk: the king they could not seize on the old plan of the old French ballade: *il n'y a rien tel que d'enlever.* However, James insisted on prosecutions, and the Council reluctantly obeyed.

They called before them Forbes, the Moderator at Aberdeen, and Welsh of Ayr. These men they warded in Blackness, and summoned the others for August 1. The four commissioners of the Synod of Fife were ordered to join Forbes and Welsh, wherefore God sent a plague, and the Chancellor's son died. Sir George Hume, of the house of Manderstoun, now Earl of Dunbar, was none the less made Great Commissioner, "to govern all Scotland, Kirk, and commonweal." Certain ministers wrote to him, warning him against the "new and young bishops." They themselves "will give place to no bishops"; "in this opinion we will die; and so, we are assured, will the best, yea, even the greatest part of the ministry of the Kirk of Scotland." They will stand for a bishopless Kirk as the poorest subject would "for a cot and a kailyard." This was the real ground of quarrel, for this the Assembly of Aberdeen had been held. The Kirk fought against the insidious introduction of bishops having authority; men "created," as one of them said, by the king, and, being his creatures, whom he made and could unmake, certain to obey him in everything. The two irreconcilable and intolerable forces, the absolutisms of preachers and of prince, are henceforth at war. In the end the king lost his unendurable prerogative; the Kirk kept out bishops, but had to abandon its insufferable pretensions. As for the letter of the law, it went where it must go in revolutions—each faction accusing the other of its infringement.

On July 25 the Assembly for September was proclaimed illegal, as it apparently was. The offenders of Aberdeen were summoned before the Council for October. The Synod of Fife voted for postponing the September Assembly to May 1606, and thought of trying to gain the consent of the king, but abandoned that idea. They appointed a solemn fast, a favourite form of agitation. James Melville wrote an apology. The law of 1592, that golden Act, not being, perhaps, quite to his purpose, he averred that Christ "gave the keys of the kingdom of heaven" to pastors, doctors, and elders. The nineteen, then, who assembled at Aberdeen, "had the warrant and power of Jesus Christ so to do," an argument of the force of which, when Cromwell came, we may say *solvitur ambulando.* James

did now fix a General Assembly for the last Tuesday of July, meaning, doubtless, of the year following (1606), but by accident or design the year was not specified. The prisoned brethren were summoned for October 24 to hear themselves charged with seditious assembling. They declined the jurisdiction, as Black had done in 1596. They were remitted to their prisons, while a Papist was merely banished the country, a thing "very evil taken by all good men." The Gunpowder Plot, occurring on November 5, caused the afflicted to think that James would cease to pursue Puritans and preachers. But the king is said to have remarked that, while the Papists sought his life, the preachers sought his crown.

Early in 1606 Mar and Dunbar were sent down to try the prisoners, a task which Dunbar sought to escape from by working privately with the accused, through a minister. "Never so light a confession" of error would satisfy James. They were not to be moved. Next day they were told, before the Council, that if they would "pass from" the Assembly and declinature, "for the time and place," resuming their case again when they pleased, they might go free. They asked leave to consult the Presbyteries; this was not granted. The prisoners were indicted of treason. They had counsel; Mr Thomas Hope acquitted himself well. They argued that to decline the Council's jurisdiction was not treason; Mar and two others alone upheld them in this distinction. The King's Advocate, Hamilton, according to James Melville, threatened the jury; and Mr Forbes "horribly threatened" the Council and nobles present. He also dwelt on Joshua and the Gibeonites, and on Saul, whose sons were hanged, "the quhilk he applyit to the king." This was not, perhaps, very tactful. Under these spiritual and temporal threats the jury, worked on by the Council (who said that capital punishment was not intended), found the prisoners guilty by a majority of nine to six (or of seven to six). They were taken back to prison, their sentence being deferred.[22]

There is a point in this trial usually omitted by modern historians (who side with the Kirk), but frankly put forward by James Melville. The King's Advocate threatened the jury, all men of family and land, that, if they acquitted the accused, "he would protest against them for error wilfully committed, and so their life, lands, and goods to fall into the king's hands." Hamilton's argument, according to Melville, ran that it was proved treason to decline the jurisdiction; the jury had only to decide whether the accused had declined it

If Hamilton really urged that to decline the jurisdiction was, legally, treason, the Council soon gave the lie to his statement. But, while we detest the threats to the jury, modern historians usually ignore the counter threats of Mr Forbes. He was a preacher, therefore one of those to whom Christ had given "the keys of the kingdom of heaven . . . and power of retaining and remitting sins."[23] Melville believed this, Forbes believed it, probably many of the jury believed in this wild claim to the keys of St Peter. On the strength of this doctrine, so absurd that it is practically overlooked by historians, Mr. Forbes "threitneing most terribill, maide all the heireris astonischit, and their hairis to stand."[24] Manifestly, here was undue influence used by the party of the preachers just as much as by the party of the Crown, and expressly directed, in part, against the king. The jury were assured, by Mr Forbes, that if they condemned him and his friends, they were God's perjurers, and broke the solemn Covenant with the Almighty. What they had to decide was merely a question of fact. But James was entangled in the meshes of the Covenant which he had subscribed, and caused all to subscribe. This Covenant, a fancied arrangement between man and Omnipotence—a spiritual bargain—was to overshadow Scotland till the Prince of Orange refused to have any concern with it. So long did the spiritual power overrule, or try to overrule the State, by the sanction of "horrible threatenings" which caused the hair of all who heard them to stand on end with terror.

Dr M'Crie says, "of what avail are innocence and eloquence against the arts of corruption and terror." Both parties used "the arts of terror." To glide over all this, and all that it implied, as an amiable error of pleasing enthusiasts, is to misread history. These claims had to be put down. The ministers must be driven, and finally were driven out of this position, or at least out of the practice of using it against the freedom of the State and the individual. Only six preachers were at this time condemned under the law, whether rightly or wrongly interpreted.

On January 22 James wrote to the Council. He had to answer what was to be done with the condemned six, what with their fourteen associates. The six were to be kept *au secret* in the closest solitary confinement, as in the Bastille. A declaration was to be published expressing James's ideas. He was always ready to grant a General Assembly; he had just appointed one for July.

What he objected to was unlawful conventicles. The matter in hand was a riot, and nothing "spiritual." The other brethren, the king said, must be tried as the six had been. The Council in Scotland stood aghast. They had done their best. They had now a precedent, "never befoir decernit"—never settled—for making declinature of jurisdiction rank as treason. But they had provoked, as they knew, the discontent of the subjects *of all degrees*—noble, gentle, and simple; Mar had expressed his disgust. They wished that James was in Scotland, then he would understand the thoroughly mutinous temper of the country. The Council, many of them at least, would not attend at a new trial. Some had already passed beyond their bounds as judges, it was confessed, to secure the late success. The jury were become objects of hatred, and would not serve again, "as a company of led men." A new jury would not be bound to agree with the old, so the precedent did not count for much. The Council had been in despair of securing a conviction in the former case. A fire had been kindled that was running over the whole country. There was danger that "the greatest power of every estate" would be drawn to the party of the preachers. "We have in rigour (the like whereof was never before done), convicted of treason the principal workers of this business." Some of the Council would personally explain to James in London the nature of the imperilled situation.[25]

James acquiesced, and did not push his Cadmeian victory further. His method, an extreme stretch of the very doubtful letter of the law, had aroused every Scot from the noble to the cottar. He had created the sentiment which, under his ill-fated son, united every class and rank for a while under the banner of the Covenant. The great nobles were suspicious of the bishops, both of their political influence and of their chance of regaining alienated ecclesiastical lands. The Scottish administration, especially Dunfermline, loved the bishops no better. Archbishop Spottiswoode is said not only to have complained to James of Dunfermline's enmity to the Episcopal order, but to have accused him of encouraging Forbes before the Assembly at Aberdeen.[26] James bade the Council investigate these charges (February-June 1606), and examine Forbes as to his alleged encouragement by Dunfermline. Forbes was very cautious in his evidence as to Dunfermline, who himself took a high line of denial, and James finally let the matter pass.[27] Spottiswoode congratulated himself that Dunfermline was induced, by his

recent danger, to be more favourable to the endowment of the bishops. James's prelates, not yet full-fledged or even ordained, had already accumulated all the materials of the bishops' wars. In October the six ministers were banished, under pain of death if they returned, and with threats of death against any who followed their example. Their companions were exiled to remote isles. It is almost surprising that no mutiny occurred in the country.

James for eight years (1602-1610) kept proroguing the General Assembly, which had a clear legal right to meet annually. He was threatening death for a refusal of jurisdiction which the ingenuity of lawyers could scarcely twist into treason. He proceeded to cut down by imprisonment and exile on the flimsiest pretexts, and by the most craven methods, the remaining leaders of the Kirk. He also trafficked with the ecclesiastical constitution in new and unprincipled ways, and, if he did not actually succeed in bribing some of the ministers, he sent money for that purpose. The leading idea of the ministers was the result of uncritical study of Scripture, and was inconsistent with a free State. But the men themselves were of courage dauntless, in morality unimpeachable, wedded to an honourable poverty, often refined classical scholars, in adversity cheerful, and, if often tactless and overbearing, they were now the victims of a power as absolute as that which they claimed, and moreover, mean, arrogant, and unscrupulous. In contrast with the preachers the bishops were shamefully pliant, and, though really far from rich, the splendours of their attire in riding to Parliament seemed to contradict their complaints of poverty. None of them resisted James as did Abbot, Archbishop of Canterbury, when the king tried to practise violence on his conscience in the disgraceful "Nullity" case of Essex. In private life bishops like Spottiswoode may have been excellent men, and his final sufferings deserve our pity. But the prelates were instruments of royal caprice, they were courtiers, their whole situation was deplorable, and it is no marvel that Scotland remained, quite apart from the right or wrongs of the abstract question between Prelacy and Presbyterians, determined to endure no more bishops.

In July the Red Parliament, so styled from the colours of the robes of the nobles, met at Perth under the presidency of Dunbar. The Assembly appointed for July was prorogued to May 1507, and other prorogations followed. James's excuse was that he had

summoned certain leading ministers, including the two Melvilles, to meet him in England. The Red Parliament passed an Act declaring the king's supremacy "over all estates, persons, and causes." The Act of Annexation of the temporalities of the bishops (1589) was rescinded. The bishops were now ten, including the warlike Andrew Knox, who took George Ker with the Spanish blanks. The ministers protested against the episcopate, but the commissioners of the General Assembly refused to review the "caveats" which limited the bishops in every direction. Andrew Melville made his way into the Parliament and spoke with his wonted freedom. The jealousies between the bishops and the nobles, owners of their temporal estates, were prominent.[28] Little of a constitution as Scotland had ever possessed, in this Parliament it dwindled. It may be remembered that in the angry talk between Ruthven and Mary Stuart, while the blood of Riccio yet reeked on the palace floor, Ruthven charged Mary with having herself nominated the Lords of the Articles, the Supreme Committee of all Estates, for the Parliament that was to forfeit Murray. In the Red Parliament James nominated the Lords of the Articles by letter, and his list was quietly accepted.[29] The strife between the bishops and the nobles required, so the Council informed James, very earnest and delicate handling. The nobles were bought to consent to the restoration of the ancient bishoprics by "seventeen new creations of spiritual prelacies in temporal lordships," says James Melville, which Mr Gardiner interprets as the carving out of the Crown property of "no less than seventeen temporal lordships for the nobility."[30]

James's next move was to summon the two Melvilles and six other brethren of Fife and Lothian, to London, where they arrived at the end of August 1606. James's conduct as regards these men was inept, inquisitorial, and violent. He harassed the ministers with questions as to their views of the Aberdeen affair, which Andrew Melville practically remitted to the General Assembly. Unluckily Melville was a man of ungoverned temper, and he addressed Sir Thomas Hamilton, the King's Advocate, as "the accuser of the brethren" (κατήγορος τῶν ἀδελφῶν) that is, the devil. "Be God, it is the develis name in the Revelatioune!" cried the king, as the source of the Greek flashed upon his memory. James Melville does not cite the Greek, Spottiswoode does. Melville was carried into his indiscretion while inveighing against Hamilton for favouring

Catholics. It is needless to dwell on the sufferings of the ministers whose "brains were stuffed full of wine and music" on one occasion, without more solid food. They had to listen to tedious anti-presbyterian sermons from bishops, and now should have known what Huntly, Errol, and Angus endured from the sermons of the brethren inflicted on them. The humourless cruelty of that age must ever be admired. Many such torments were invented to "drive time," and keep the brethren away from a new device of the king's, a clerical convention at Linlithgow.

The kidnapped preachers were told they were to be "warded" in bishops' houses, as if they had committed some offence. They had been taken into the king's chapel, and the spectacle of unlighted candles, closed books, and empty chalices on the altar moved Andrew Melville to make a Latin epigram. He asked if the Church of England was imitating the Purple Harlot (otherwise Scarlet Woman) of Rome, with other rhetorical questions of a rather offensive character. To such effusions a man may be driven by sermons, and Melville did not publish the verses. But they reached James, and he seized his opportunity. Melville was summoned to Whitehall, and "being spoken to by the Archbishop of Canterbury," says James Melville, "took occasion plainly in the face, before all the Council, to tell him all his mind."[31] It was not "a piece of his mind," but *all* of it, that Andrew bestowed upon the startled prelate. The sight of two books, two chalices, and two candles had goaded him to an extreme indignation. The Archbishop, he vociferated, was guilty of all sorts of enormities, such as "setting up antichristian hierarchy" and Sabbath breaking. He then seized Bancroft by the sleeves and "shook them" (and perhaps the Archbishop), "in his manner, freely and roundly"; he had once laid hands on the king "in his manner." He went on to call the sleeves "the Beast's mark," and to declare himself Bancroft's enemy "to the effusion of the last drop of all the blood in his body," that is, if Bancroft was really the author of a certain antipresbyterian pamphlet. These proceedings were rather in the style of the Laird's Jock, or Kinmont Willie, than of a reverend professor of St Andrews. Andrew was entrusted by the Council to the Dean of St Paul's, with him to remain till the king's pleasure was known. He was later transferred to the Tower, and, after four years of captivity, was banished. He obtained a chair in the University of Sedan, where he died. James Melville was relegated to Newcastle.

Melville had displayed the vehemence of his character, and the intolerance with which he regarded all forms of Christianity except his own. But he was imprisoned in and banished from a country of which he was not a citizen by an inexcusable abuse of arbitrary power. The motive was to keep him and his nephew James out of Scotland, where the king was attempting new manœuvres. Between the end of 1606 and 1610 he entirely succeeded in getting for his bishops Episcopal authority. In 1607, as we learn from Calderwood, a bishop dared not exercise authority, because his presbyters might turn again and excommunicate him, like Adamson and Montgomery. It may seem strange that James did not, through Parliament, deprive the brethren of this dangerous weapon, excommunication, or at least deprive it of all civil sanction. Perhaps he thought that it might prove useful against Catholics.

The measures which he adopted may be briefly enumerated. He had already cut down or broken under foot some thirty of the taller thistles in the Kirk's kail-yard. The most eminent and recalcitrant preachers were in exile, or far away in the Highlands and islands, or confined, under supervision, to their own parishes. In their enforced absence James summoned to Linlithgow, in December 1606, a convention of preachers. It was not called as a General Assembly, nor known under that name, till it had done its work. Then James styled it by the solemn name of a General Assembly: his opponents did not. The brethren were told that they were to give "advice," not votes. The king had discovered that, to put the brethren in good humour, there was nothing like Catholic-baiting. The necessity and difficulty of smelling out and denouncing Catholics and Jesuits was dwelt upon. Then it was suggested that a *permanent* clerical "agent" for these purposes should exist in each Presbytery, or group of associated kirks. The labourer is worthy of his hire, and the "agent" was to receive, as such, £100 (Scots) annually. Next, this agent might also be perpetual or constant moderator of his Presbytery—taking the place of a series of shifting moderators elected on each occasion. In their own Presbyteries the bishops, or acting subordinates paid by them, should be constant moderators.

This device threw most of the administrators of the Kirk into the king's pay and power. About one hundred and thirty ministers were present at this convention, and more than thirty nobles, including

Montrose, and the astute manager, Dunbar. Of these, Calderwood informs us, one hundred and twenty-five were "corrupted" with hope, fear, honour, or money, for many places of £100 apiece were going. Thus by an unanimous, or all but unanimous vote, permanent moderators, who also served as anti-catholic "agents," were nominated for every Presbytery.[32] A number of unsummoned ministers were present, and occasion was thereby taken to style the Linlithgow convention a General Assembly. No formal recorded Act of the meeting could be obtained and read for many months later, and, when it did appear, it was looked on as forged and contaminated, like Sprot's confessions in the Gowrie affair. Montrose and the other managers were delighted by their success; even the preachers "who came of set purpose to oppose" were brought into the general harmony. The meeting, and all the lords, heartily petitioned James to allow Mr Bruce to leave Inverness and return to Kinnaird for his health, but James was unmoved.[33] On January 3, 1607, James issued a letter enforcing the decision of the Linlithgow convention. Too many of the Presbyteries, he said, were "addicted to anarchy," and were apt to "refuse such a constant moderator as has been concluded upon *in the General Assembly*." The use of these terms was mere pettifogging. However, a Presbytery that refused a constant moderator, or a moderator who declined to be constant, must be "put to the horn" as rebellious.[34]

Throughout the year 1607 the attempt was made to thrust these constant moderators not only on the Presbyteries, but on the Synods, or Provincial Councils of the Kirk. Wild scenes followed, as at Perth, where Lord Scone (who had succeeded to much of the Gowrie possessions) tried to force the Synod to his will, sat in the moderator's chair, and locked the Synod out of the church. They met in the open air, and the faithful of Fife met on the sea sands in a day of heavy rain.[35] Many other Synods were as contumacious; nothing had been decided at Linlithgow, it was said, as to Synodal moderators. Wherever there was a bishop, the king declared, he was to be, *ex officio*, constant moderator of his Synod. Men asked for a view of the Act of Linlithgow sanctioning these novelties. On August 18, 1607, the Synods were presented at last with the Act. In the Synod of Lothian the brethren who had been at Linlithgow said that nothing had been arranged as to Synodal moderators.[36] The General Assembly, to have met at Dundee, was prorogued to April 1608. James occupied the

interval in lopping the taller heads of the stubborn thistles. A Stirlingshire minister, for "wandering about" and "general Presbyterian restlessness" (as Dr Masson says), was confined to his own parish. Four other opponents of constant moderators, were shut up in Blackness. Calderwood himself, the erudite historian, then a young minister at Crailing, was confined to his very pleasant parish; Sir Gideon Murray of Elibank looked after the contumacious of the Jedburgh Presbytery.[37]

At last there was a General Assembly at Linlithgow at the end of July 1608. Dunbar was in Scotland on this business, when Sprot was tried and hanged for the Gowrie affair. The time of the Assembly was cleverly filled up by the delightful process of excommunicating Huntly, who had never really been an earnest professor, "despite all the sermons that were inflicted on him." Other measures against Catholics were taken, but the dispute of the king and the Kirk was deferred to a more convenient season, mixed commissions being appointed to consider matters. Dunbar is said to have brought £14,000 in gold with him to this Assembly, whether it found its way into clerical pockets may well be doubted. In May 1610, when another General Assembly was coming on in June, the king certainly sent 10,000 marks to Dunbar for distribution among useful people.[38] This Assembly was packed, especially with ministers from the extreme north (who, to be sure, had a right to be present). Spottiswoode was Moderator, and Episcopacy was at last established. The king's prerogative was acknowledged; the disputed Assembly of Aberdeen was condemned; sentences of excommunication were invalid unless ratified by the bishop of the diocese, who was also to preside in trials for the deposition of ministers, and was to inquire into the conduct of those in his see. Ministers, when inducted, had to take an oath to the king and do homage for their livings. The bishops, however, were still subject to the censure of General Assemblies (as this odd kind of bishop from the days of Morton downwards had ever been), and they still needed consecration by Episcopal hands, a rite implying the doctrine of apostolical succession. James had nearly completed his edifice, soon he crowned it, a building that did not endure for a generation. He had asserted the freedom of the State (as represented by himself), by what measures, how petty, how illegal, how cunning, and how arbitrary, we have shown.[39] This house was founded on the sand;

the institution of these bishops was a mere trick of state-craft, and was contrary to the conscience and the rooted ideas of every sincere man in Scotland, Catholic or Presbyterian. But James had not yet interfered with the order of worship, the prayers were still extemporary, or strings of formulæ adhering to the memory of the minister. There was no service-book, and the communion was received sitting, in the old fashion of Knox. No particular change irritated the ordinary parishioner; nothing was "read," a thing inexpressibly odious to the Scot; there were no responses, no vestments, none of the provocations which had such strange power to excite the fury of the multitude

The position of conscientious Presbyterians, like Calderwood, was far from enviable at this period. They might preach and pray, but it was dangerous to pray and preach on the politics of the hour: he who did so was "in danger of the Council." The royal decree controlled the operations of the Spirit; the royal hand was impiously laid on the ark. Presbyteries were far, indeed, from what they had been, and General Assemblies were no longer free and open Parliaments. On the other side the position of the Catholics was practically desperate. Our historians never say much on that head: the imprisonments of Errol and Huntly, the self-exile of Angus, who died abroad, are briefly touched upon, but we hear nothing of the distresses of the conscientious Catholics in general. Scotland owed her all but universal Protestantism to persecution; and, in Father Forbes Leith's "Narratives of Scottish Catholics," we learn how the persecution was conducted. Father Abercromby, writing on July 1, 1602, says, "All are now compelled with tears to submit to the king, and to the law passed by his authority, the alternative being for the rich either exile or the loss of all their goods, which for the sake of their wives and children they will not risk; and for the poor, if they refuse obedience, to be turned adrift by their lords from the lands they cultivate."[40] . . . We have seen, in an earlier part of this volume, that Mary of Guise deplored the insecure and brief tenures of the small farmers; both she and Queen Mary tried, by their personal influence, to protect poor tenants. Now they were evicted merely for their religion if they were Catholics, but all these persecutions are glided over noiselessly by historians.

The queen, Anne of Denmark, had been converted, secretly, to the old faith, writes Father MacQuhirrie, S.J., in 1601; the

conversion, it seems, was of 1598. In 1605, Father James Seton describes the Earl of Dunfermline, the practical governor of Scotland, as a secret Catholic, though publicly professing Presbyterianism. Otherwise he was an upright man, as the times permitted, and we have seen that he successfully resisted an injustice of the king towards Mr Robert Bruce. He signed the Confession of Faith, though he came to Catholic confession and communion. John Colville, the old agent of the Lords of the Ruthven Raid, and the ally of Bothwell, and the spy of Cecil, having fallen into poverty, became a Catholic, went to Rome, saw the Pope, and took money from him. Probably he changed his creed, as Dunfermline concealed his own, merely for worldly reasons. In 1605 Father Creighton regretted that, in Scotland, Catholics could not, as in England, escape from going to Protestant churches on condition of paying fines. "The power of the heretical ministers is so great that they can compel every one to subscribe their false confession of faith, attend their sermons, and take the profane supper of the Calvinist rite, or else lose all his goods, and go into banishment." The process was that the constant moderator nosed out a Catholic, cited him to conform, had him excommunicated if he refused, and, forty days later, charged with treason, confiscated, and banished.[41] The new mounted police arrested Catholics, as they arrested Border reivers. One Catholic noble, unnamed, evaded the Kirk by pretending to have broken his leg by a fall from horseback, in presence of a surgeon and a notary! By cultivating a limp he evaded excommunication for a whole year. Balmerino, like Dunfermline, escaped by feigning Presbyterianism. There were but three or four priests left in Scotland, and by this drastic, unrelenting persecution, unhasting and unresting, the country was drilled into almost uniform conformity and systematic hypocrisy. All Catholics had to choose between loss of lands and goods and native country, or loss of conscience and honour. Perhaps no persecution was ever so successful. No showy martyrdoms, with one exception, occurred, but there was an unceasing strain on conscience and belief.

We have here dwelt mainly on ecclesiastical affairs as these affected the whole course of history. But Parliament, in 1606-08, was busy with the affairs of the lawless Earl of Orkney, the equally lawless Lord Maxwell, with the condition of the Borders, and with the trial and forfeiture of Logan of Restalrig. (died July 1606),

for his alleged share in the Gowrie conspiracy. Concerning the Orkneys, the Highlands, the Borders, and Maxwell, an account is given later, in a separate chapter, while the complex business of Restalrig is discussed in Appendix B.

Letter of Ogilvie of Pourie to the King, 1601.

(Hatfield MS. 90, vol. cxxxvi. fol. 136.)

Endorsed: Pury Ogleby 1601.

It will plearś yo^{r} M. Vnderstand

That cuming out of Dumfermling to Edinbrū to home satisfeit yo^{r} M. desyr and finding my selff persewit & forst by y^{r} Magistratis and vth^{ris} in yo^{r} M. name I culd do no les then escheu the first furie and appeale with y^{r} Macedonian suldart A Phillippo male consulto et (*sic*) Philippum bene consultum Therof I craue yo^{r} M. pardon, thus absenting my selff for no offence that ever I committed aynest yo^{r} M. in or without the cuntrey bot for safetie of my Lyffe as ane beast but reason wold do. I am most sorrie for yo^{r} M. reputacionis cause that vther princes sould heer of yo^{r} M. creuell Dealing aganest me hawing ment so weill at yo^{r} M. handis therof they can beare me witnes, for so sall yo^{r} M. be thocht of, conforme as yo^{r} enemies head informit, at least ane ongrate prince, and I ane manifast liar quha hes informit thame so weill of yo^{r} M. I hoip that yo^{r} M. will wse my pour wyffe and bairnes according to yo^{r} wonted clemencie. And for my selff iff I can not liue in the cuntrey, I will accept of the croce that god layis on me for my sinis agnest his heavenlie M. And cum cristo fugere ex vna civitate in aliam it is that god sufferis pipell to be scurged inderectlie & thairof castis y^{r} trew scorge in the fyre. Take hearte ser and begine anes to think weill of thame quha luffis yo^{r} M. honor & standing. And sence God hes beine so manie tymes so mercifull to zow, Be not cruell w^{t} yo^{r} M. Debtoris iff zou wold not be cossin wi^{t} that ewell (?) Debtor of the evangell in perpetuall prison. As for that yo^{r} M. wold lay agaynest me I nevir had on vse ony commission of yo^{r} Ma^{tis} to ony forrant prince in my Lyffe, nather in Flaunders France nor Spaine, Not witstanding all yo^{r} M. Intelligenrs in the contrar q^{lks} ar fals & cunterfeit as I salbe aible to prove. I have delt and beine delt with indeid, but alwayis in matteris that consernit yo^{r} M. standing and the weill of yo^{r} M. cuntrey Zet for satisfaction of yo^{r} Majestie hawinge suretie of my lyffe and heritage I am content to enter in Vard, and say q^{t}sumever yo^{r} M. sall cōmand me Or vtherwayes to go presentlie out of the cuntrey, for if my Lord Simple past to Spaine w^{t} zo^{r} M. commission, his Instructions bearing the same headis q^{r}of I wes thocht to haue delt q^{t} satisfaction, can my Varding be to Ingland q^{a} incistis in no wayis agenest me, finding me Innocent of all such calumnies Layd agnest me at my being in London, and iff zour M. suld mislyke more of my cuming throgh Ingland then dealing in Spaine, as sum curious pipell dois imagen, sens zo^{r} M. was of oppinions that I suld have bene tane by my owne advyss zo^{r} M., giff I durst say it, dois me Wrong for I beare the guide will and culd do yo^{r} M. better service there then mony subiectis yo^{r} M. hes And iff vthers be reveilit vpon conisoun accussit of the same thingis And more suspect by Ingland nor I, q^{t} can it harme zo^{r} M. or offend Ingland to grant me the lyke benefeit. And iff it be bot my Lyffe as appearis socht Inderectlie, Prestat sapore alieno exempto, Nathur can yo^{r} M. justlie blame to be als diligent in saiffing my

lyffe as vthers ar cunning and subteill in crawing my sackless bluid. As for geer I haue non And Lyttil Land yet the hous is so myne And so mony honest men cwme of it that I traist that zo^r M. will not sie it perish alto^r all the foresaidis I am becwme throw my trwbles & gryte travell so ill at eas and debilitat that only Warding war sufficient to make my pwre unprovydit barnes fatherles, if non of thar may mowe yo^r M. to Justice and petie I must remit my cause to God and seik to so serve sum vther prince as I mynd to die rather a confessor nor a martire. One thing may I justlie say with the freir that was put in the gallies for saiing of thre or fowr messes everie day that I am punished per auer facto troppo ben. Speik zo^r M. q^t eveill zou pleas of me I will alwayis think & speik weill of zo^r M. Althogh by this reason as Plutark tellis the teale I must neids be a knaiff Aither becaus zo^r M. quha is good speikis evill of me or than iff zo^r M. be not giude becaus I speik giude of ane evill man Bot sir kaik is no scheiris (?) I luike for better of zo^r M. And kissing zo^r M. princlie handis with all deutifull humilitie I pray the eternall God to preserwe zo^r M. and oppine zo^r eis or they my breist that yo^r M. may sie as Simoniüs desyrit The Invard cogitacionis of my trewe hart. Raptim 1601.

NOTES TO CHAPTER XVIII.

[1] Bruce, Correspondence of James VI. Camden Society, 1861, xxv., xxviii. 80, 81.

[2] Hailes, Secret Correspondence of Cecil, 1766.

[3] Bruce, 81, 84.

[4] Pitcairn, ii. 408, 409.

[5] Thorpe, ii. 796, 798.

[6] Thorpe, ii. 799. See a singular letter from Pourie to James at the end of this chapter. It is from the Cecil Papers, Hatfield MSS.

[7] Calderwood, vi. 146-148, 153-156.

[8] Remarks on the History of Scotland, pp. 254-264; 1773.

[9] Thorpe, ii. 815.

[10] Thorpe, ii. 814.

[11] Border Papers, ii. 523.

[12] Bruce, Correspondence of James VI. and Cecil, pp. 30-38.

[13] Privy Council Register, vi. 581, 582.

[14] Restalrig and the Gowrie Conspiracy. Appendix B.

[15] Privy Council Register, vii. xiii. xxi.

[16] Nugæ Antiquæ, i. 181, 182.

[17] Act Parl. Scot., iv. 262-276.

[18] Privy Council Register, vii. 13, 14.

[19] James Melville, 574.

[20] Privy Council Register, vii. 474, 475.

[21] Act Parl. Scot., iii. 541.

[22] James Melville, 570-626; Register, Privy Council, vii. 478 486.

[23] Melville, p. 596.

[24] Melville, p. 625.

[25] Register, Privy Council, vii. 480-486.

[26] Forbes's Records touching the Estate of the Kirk, 501, 502, note (Wodrow Society); Spottiswoode, iii. 174, 175.

[27] Register, Privy Council, vii. 492, 497, and notes; Forbes, 546, 551.

[28] Calderwood, vi. 485-495.

[29] Melros Papers, Lords of Council to James, i. p. 15; Act Parl. Scot., iv. 280.

[30] Gardiner, i. 316 (1900); Melville, p. 640.

[31] Melville, 679.

[32] Calderwood, vi. 608.

[33] Original Letters, edited by Mr Botfield, Bannatyne Club, vol. i. pp. 70-71.

[34] Privy Council Register, vii. 299-302.

[35] Privy Council Register, vii. 347-349.

[36] Privy Council Register, vii. 432, note.

[37] Privy Council Register, viii. 20, 508-510.

[38] Privy Council Register, viii. 844.

[39] Privy Council Register, viii. 473-475, notes; Calderwood, vii. 94-103; Spottiswoode, iii. 205-208.

[40] Forbes Leith, 269, note 1.

[41] Forbes Leith, 284, 285.

CHAPTER XIX.

THE LAST YEARS OF JAMES VI.

1603–1624.

If the nations are happy which have no constitutional history, then Scotland was fortunate between the establishment of Episcopacy, in 1610, and James's later interferences with the old Presbyterian forms of public worship. There were, of course, feuds, as we have just shown, and there were Highland disturbances, but the affairs of the Celtic part of the kingdom must be treated of in a separate chapter. There were also occasional troubles with a recalcitrant preacher, such as our historian, Calderwood himself. But the centre of affairs was now London, where there was much irritation against James's Scottish followers, and where a Scottish favourite, Ker, Earl of Somerset, involved him in circumstances still obscure, but, to an unascertained extent, discreditable. This perplexed matter, however, is of merely personal interest, and forms no part of the history of Scotland. James's desire for a regular, thorough, incorporating union of the countries, such as Major had longed for before the Reformation, such as Henderson dreamed of after the fall of Cardinal Beaton (see Chapter II.), was creditable to the king, and to Bacon who supported him. But the proposal broke down against the jealousies, commercial, ecclesiastical, and social, of the two nations. The Union of 1707 was almost equally unpopular with Highland and Lowland Jacobites, and with Whig or Hanoverian Scottish earls, in 1745, after forty years of experience of the measure. We may guess, then, how little chance an Act of Union had in passing, when James was a new king in England, and when ballads against the Scottish followers were sung in London streets. James had recommended the Union to Parliament in March 1604,

when he had not sat for a year on the English throne. Bodies of commissioners for each nation were appointed in the summer of the year, and met in October, at Westminster, while James, of his own will and fantasy, crowned himself with the title of "King of Great Britain." "This some of both kingdoms took ill," says Spottiswoode, nor did the Borderers like to have the name of "the Borders" abolished, with all the old Border laws (they were printed, after the Forty-Five, by a bishop of Carlisle). The garrisons of Berwick and Carlisle were dismissed, orders were given to destroy the Border keeps, and turn their iron gates into ploughshares.[1] The orders cannot have been carried out, to judge by the numerous keeps and fortalices still standing on either side of the Marches.

Meanwhile Bacon and the famed Tam o' the Cowgate, the King's Advocate and founder of the Haddington family, drew up a report for the Union Commissioners. The articles are given by Spottiswoode.[2] In the rules for free-trade between the two countries, the staples of England—wool, hides, sheep, cattle, leather, and linen yarn—were excepted, and the rights of sea-fishing were to remain restricted as of yore. Persons in each country born after James's accession were to be entitled to equal privileges of all kinds on either side of the Border. These were the *Post-nati;* but as to the *Ante-nati,* persons born before the Union of the Crowns, great difficulties arose, as the Scots who followed the king were only too likely, by the kindly Scottish usage, to be thrust into the best English posts and dignities. James, by prerogative, could naturalise any one, and even give him office under the Crown. He declared, however, that he would not put any Scot (not yet naturalised) into a Crown office, nor any Englishman into a Scottish Crown office. But he would not allow his power of doing so by prerogative to be restricted by a clause in the Act. The English House of Commons was as sceptical about the king's promise as Mr Robert Bruce had been about his statements in the Gowrie case, and James's promises, when at home, had been punctually broken. In November 21, 1606, and later, strong commercial opposition to the scheme of Union broke forth, and Bacon's eloquence in favour of the Bill was "in the right, but too soon." Order was transgressed by indignant and sarcastic English orators, and the Scottish Privy Council, when they heard of the insults, protested that they, for their part, were in no hurry to be

blended with a country which disdained them[3] Finally, nothing but the "abolition of all memory of hostility, and the repression of occasions of disorder," was recorded. Border prisoners, usually taken on charges of raiding and violence, were to be tried in their own countries. The case of the *Post-nati* was at last settled by a suit, in 1608, raised in the name of Richard Colvin, a child born in Scotland the third year of James's tenure of the English Crown. Bacon argued that, to prove the child an alien, and incapable of holding land, say, in Shoreditch, it was necessary to prove that he owned allegiance to a foreign prince. It was decided that Colvin and all *Post-nati* were natural-born subjects of the king of England, and "enabled to purchase and have freehold and inheritance of lands in England, and to bring real actions for the same in England." The case fills nearly four hundred columns in the State Trials.[4] The Chancellor and twelve judges decided this matter by a majority of eleven to two votes.

A topic of keen interest to the politicians of the day, but of little moment in national history, was the affair of Balmerino. This gentleman, originally known as James Elphinstone of Innernauchty, and after 1604 as Lord Balmerino, had become a judge in 1587, and was one of the Board of Treasury Control styled "the Octavians" in the agitated year 1596. In 1598 he was made Secretary, holding the important post so long possessed by Maitland of Lethington. In 1598 and 1599, as we have already seen, there were some tentative traffickings between James and Rome, and a letter signed by James, and addressing the Pope as "Father," "blessed," and so on, arrived at the hands of his Holiness. In September 1608 a summons to England reached Balmerino, and this presaged the close of his career in disgrace. The cause was this—James, ever since 1604, had been, reluctantly or not, a persecutor of Puritans, Presbyterians, and Catholics. Nobody was to dwell in his realm, as he had previously said, who was not of his own religion or religions—Anglican in England, and, in Scotland, the Presbyterianism of an auto-pope, if the term may be allowed. James was not content with edicts. In 1607 he produced an anti-papal work, "Triplici Nodo, Triplex Cuneus," defending the oaths of allegiance to himself against Paul V. and Cardinal Bellarmine. The Cardinal, writing as "Matthæus Tortus," replied in 1608. James was rebuked for his religious veerings, and especially for having long ago written a polite letter to the Pope, Clement VIII., and another to

Cardinal Bellarmine, asking that a hat might be given to his subject, Chisholme, Bishop of Vaison. At that time (1598-99) the existence of a Scottish cardinal, to reply to the attacks of English Catholic supporters of the Infanta, would have been useful to James. He was never a true-blue Protestant. He did not think that the Pope was the Beast; and he revered as his mother Church the Church of Rome. He did not regard her as the Scarlet Woman sitting on the Seven Hills, "as if ane," quoth Andrew Fairservice, "was na braid eneugh for her auld hurdies." But, since 1605, the Gunpowder Plot, and the need of some victim to throw to the preachers, had modified the very proper and historically correct sentiments of the king. Now Cardinal Bellmarine recalled the polite letter of James to the Pope, in his book replying to the "Triplex Cuneus." Balmerino, then Elphinstone, had been Secretary in 1598, and Balmerino was called to court to explain how the polite letter, signed by James, had been sent to the pontiff.

Balmerino met James, Archbishop Spottiswoode, Dunbar, and other important Scottish officials, at Royston. There is no doubt that Spottiswoode was intriguing against the secular influence of Balmerino. That statesman, after his disgrace, left a private memoir with his own account of the whole affair. The gist may be given in his own words, "A plot is secretly contrived that I shall be brought to a confession [oral] of it," (that is, of fraudulently inducing James to sign a letter to the Pope written by Elphinston) "his majesty to disallow it . . . and consequently, my undoing."[5] Balmerino denied that, in this letter, James had promised either to turn Catholic (as the report went) or, when King of England, to tolerate Catholics. Here he told the truth, as the Pope's reply to the letter attributed to James suffices to prove. But Balmerino confessed the part as to procuring a cardinal's hat for a Scottish subject. Sir Alexander Hay (who had been appointed his adjunct in the Scottish secretaryship) induced him to confess this much, "the simple truth." Balmerino admitted that he himself had written, or caused Sir Edward Drummond to write, the ordinary forms of address, *Pater*, and so forth, into the letter which, in 1598, James had signed. Sir Alexander Hay was a witness of a repetition of this confession. Balmerino was then ordered under arrest, though he was unaware of it, and was told to make his confession in writing. He now realised that his ruin was intended—he had thought that his previous oral admis-

sions were only for the king's private satisfaction. He asked for delay, and for time to procure the evidence of Sir Edward Drummond, who had been with him in 1598. Balmerino was next examined before the English Privy Council, just as Andrew Melville had been. He extracted from them the admission that *they* could not judge him, that he must be tried before "his ordinary judge." They could not entangle him, he says, and Lord Balfour of Burleigh was sent to him to advise a confession entirely exculpating the king, with assurance that his life and estate should not be imperilled. Balmerino tried, meanwhile, to make terms with Dunbar. "If he desired Restalrig, he should have it for the price I bought it." In fact, Balmerino had bought Restalrig from the impoverished Logan in 1605; and, when Logan died in July 1606, Balmerino still owed eighteen thousand marks of the price, as appears from Logan's will. Dunbar himself also owed to Logan's estate fifteen thousand marks of the purchase money of the property of Flemington, which he escaped paying, through the forfeiture of Logan's heir in 1609.[6] Dunbar was apparently pleased by Balmerino's offers, and Balmerino thought that his life and lands were now secure if he exonerated James from the letter to the Pope. Consequently he "put himself in James's will," that is, would not defend himself. He declared that the Latin letter to the Pope was placed, among others, before James, that the king signed the heap, and that Drummond wrote in terms of address to the Pope as *Pater*, and the rest, at the beginning and end of the epistle. Balmerino also confessed that, to the ambassador of Elizabeth, he had denied all the facts, and had made Drummond corroborate his denial. Elizabeth had probably learned the truth through the Master of Gray, who corresponded both with Cecil and with the Roman court, as we have already shown (p. 440).

Having secured these formal confessions from Balmerino, Salisbury (Robert Cecil) made them the basis of a charge of high treason, also of forgery of James's handwriting. Balmerino was wheedled into signing this document charging him with treason on the understanding that it was merely for the king's personal satisfaction. Being arraigned before, and scolded by the Council, he was again persuaded not to defend himself. James is said to have been skulking behind the arras, or in some Ear of Dionysius, while his English sycophants railed at his Scottish minister. Balmerino was removed from the Council and "warded" at Falkland. He was

then tried and convicted, merely on his own confession, at St Andrews, still abstaining from self-defence, in the king's interest, and in the belief that his life and lands were secure. But he was kept in close captivity, through the treachery of Dunbar and Sir Alexander Hay, "As for others of our nation who have little regard wherefore I suffer at Englishmen's hands, God forgive them!" His country, he says, is "miserable, *coming in a vile servitude*, the foresight whereof is all my wrack." Thus, in Balmerino's opinion, he was put at by Spottiswoode and Dunbar, because he was too good a "Scottisman," and opposed the "servitude" of his country. Balmerino died in 1612.[7]

Sir Alexander Hay, the blackest of traitors except Dunbar, if we accept Balmerino's view, was now left alone in the Scottish secretaryship. For a considerable time there is nothing of interest to record in domestic affairs, setting aside the reduction of the Borders and the Highlands. There were official changes and experiments in the control of finance, and Mr Archibald Primrose, writer, with his son James, now clerk of the Council, became men of official importance.[8] The death of Dunbar (January 29, 1611) caused many shiftings in State offices, and Calderwood fires the salute of a most unseemly scandal over the dead statesman's grave. Dunbar was, perhaps, rather more unscrupulous than most public men of his age, but he was a person of great energy and of conciliatory manners. It seems certain that he much disliked the policy towards the Kirk with which he was entrusted. Cranstoun, now Lord Cranstoun, succeeded him in his Border lieutenancy; the treasurership was practically placed in the hands of a commission of eight, "the New Octavians," with Dunfermline for chief, and Lord Advocate Hamilton for one of the members. Cranstoun was succeeded in the Border lieutenancy by Ker of Ancrum: the new favourite of James—(Ker, later Rochester, later Somerset), being supposed to have influenced the royal choice. After a series of changes the King's Advocate became Secretary of State, and Sir Alexander Hay, Clerk Register. The only great noble of position in James's administration was the young Marquis of Hamilton, of the third generation from the Duke of Châtelherault of Queen Mary's reign.[9]

It was in 1610 that James crowned his prelatical edifice by having Spottiswoode and two bishops consecrated by three English bishops (York and Canterbury being excluded). The consecrated

three could now pass on any apostolical virtue which Anglican bishops are able to confer to their brethren in Scotland. These were no longer mere parliamentary officials, but bishops with as much mystical quality as Scotland could desire or dislike. Occasionally a minister who preached in a semblance of the old tone was put at; but between banishments, imprisonments, and other inflictions, the watchmen of the Kirk were practically reduced to silence—the hearts of such as Calderwood burning within them.

In the matter of public order James took a lesson from England, and, in 1610, appointed a number of Commissioners or Justices of the Peace,—"godly, wise, and virtuous gentlemen, of good quality, estate, and repute."[10] Their duties were much what they so long continued to be, they were county magistrates having constables under them. The Selkirkshire justices complain of the unruliness of the town, the want of money, the depression in sheep-farming, the numbers of sturdy men who will not work, and of willing workers for whom there is no employment. They suggest the making of public roads.[11] The system, though opposed now by the towns, now by the recalcitrant gentry, struck root, though the constabulary was scanty and probably as inefficient as that of Dogberry. Meanwhile the settlement of Ulster by Scottish immigrants was being worked out, though the enterprisers were obviously, from their names and ranks, but a feeble folk, with more speculative tendency than capital. In 1611 the lists of enterprisers contain nobler names. The house of Ochiltree (the house of the daring captain who overthrew Morton, and of the bride of Knox), with the Abercorn Hamiltons, emigrated to Ulster. Among other noted names of adventurers whose families did not emigrate are those of Lennox, Balfour of Burleigh, Stewart of Minto, and Murray of Broughton, while Andrew Knox, that warlike preacher and prelate, became Bishop of Raphoe. As the settlers brought over hosts of their workmen and dependants, Ulster rapidly became sufficiently Scotticised.

The year 1612 was clearly marked by nature as portentous. "A cow brought forth fourteen great dog whelps instead of calves," a circumstance inexplicable to the naturalist. Another cow expired in giving birth to a human infant, which did not survive, and a third cow's calf had two heads.[12] These things do not occur without some mysterious reason, but nothing very remarkable happened till the Parliament in October, which ratified the Acts of the Episcopalian General Assembly of 1610, without retaining the

subjection of bishops to General Assemblies. The old "caveats" dropped out of view, and it may be taken as the orthodox Presbyterian theory that the bishops never had a really legal existence.[13] They remained, it will be found, subject to excommunication by a General Assembly, as soon as the political condition of the country gave a General Assembly freedom of action. The death of the heir to the throne, Prince Henry, on November 6, was the heaviest stroke in that kind since the death of the Maid of Norway. Like all young and handsome princes who perish in their bloom, he was reckoned of great promise. That promise may have been illusive, but, from what is known of him, it seems that he would not, at least, have entered the path of his unhappy brother, the Prince Charles. The marriage of the hardly more fortunate Princess Elizabeth was celebrated on February 14, 1613. This year, with those which followed, was remarkable for turbulence in the islands, and in the Orkneys, but is more noted in the home districts for persecution of Catholics. For three years, as Dr Masson says, "there was a kind of frenzied run upon persecution." If the object was to please the Presbyterians of the old school the measures were unsuccessful; in the violence of the bishops they only saw Satan divided against himself. It is to be noted that the Kirk Episcopal was given the reins more freely than the Kirk Presbyterian as to persecution, and yet was deemed infinitely too lenient by good Presbyterians like Calderwood.

As instances of Catholic sufferers we find, first, a Logan of Restalrig. Robert Logan of Restalrig, that genial ruffian, and suspected Gowrie conspirator, seems to have had leanings both towards Rome and Geneva. The truth apparently was that whether a Kirkman or a Catholic was engaged in any desperate or lawless act, whether godly Mr Bruce, or Bothwell, or George Ker was in a strait, Logan was equally ready to lend them the shelter of Fastcastle, or offer them the "fine hattit kits" of Restalrig. It may have been a son of his who, in the year of the Logan forfeiture for the Gowrie Plot (1609), appears as John Logan, portioner of Restalrig, accused of attending mass celebrated by John Burd, priest. He was tried for this offence in 1613, and was fined £1000 Scots, though he had repented and become an elder of the Kirk.[14] Even the old Countess of Sutherland, the wife of the famous Bothwell of Queen Mary, was harried for her religious opinions, and shut up with Mr Robert Bruce in Inverness. The most celebrated victim in these

persecutions was Father Ogilvie, S.J. His case proves that the high Presbyterians' theory of Church and State came perilously near to that of their most detested opponents of the old faith. Ogilvie entered Scotland, disguised as a soldier, in 1613. He had two companions: one, Father Moffat, gained a rich harvest of souls in St Andrews; the other, Father Campbell, laboured in Edinburgh, whither Father Ogilvie later came. He ministered to the spiritual needs of Sir James Macdonald (Macsorley, cf. p. 435), who was still a prisoner in the Castle. In August 1614 Ogilvie ventured to Glasgow, the seat of Archbishop Spottiswoode. About October 5 he was arrested, being betrayed by a false convert, rich, and of good family. Spottiswoode, after the arrest, struck the prisoner; the standers-by fell on Ogilvie, beat him, and stripped him. This fact is given by Father Forbes Leith as part of Ogilvie's own narrative.[15]

The abominable story of Spottiswoode's blow is corroborated by Calderwood: "the bishop buffeted him."[16] Against a priest and a prisoner the prelate was more fierce than Andrew Melville against a king. Spottiswoode himself does not mention the circumstance. But he did write to James recommending that Ogilvie should be tortured by the boots, and asking for the half of any fines that might be inflicted.[17] Spottiswoode wrote thus on October 5, and an inquest as to Ogilvie was held on the same day. Spottiswoode expressed his irritation against the negligence of the ministers which favoured Popery, and he anticipated, or affected to anticipate, a plot against the life of the king. He still (November 12, 1614) insisted on the need of torture.[18] Yet the enthusiastic Calderwood regards the dealings against Catholics as "counterfeit." Some fourteen Glasgow people were tried in December for hearing mass, and the report ran that they were to be executed, "but they were in no danger." In modern controversy some Presbyterian writers argue that the Episcopalians were the real persecutors. They were bad enough, but they could not satisfy Calderwood and people of his stamp.

In December Ogilvie was taken to Spottiswoode's house in Edinburgh. "Mud, snow, and curses" were hurled at him as he rode, and a woman cursed his ugly face. "The blessing of Christ on your bonny face!" replied the gallant Jesuit, whereon the woman apologized. At Spottiswoode's house he was threatened with the boots and cross-examined on many matters. He would not give up the names of his friends or converts. As even James did not approve of ordinary torture, these cruel parsons kept the good father

awake for eight days and nine consecutive nights, as they were wont to do with witches. They pinched him, and ran pins and needles into his flesh. Calderwood says that "his brains became lightsome." He himself declares that he scarce knew what he said or did, or in what city he was. Nothing could be extracted from him (the official account says that he gave up some names) either by cruelty or offer of reward. Moffat, another Jesuit, was tempted with "the Abbey of Coldingham, which . . . still retains its leaden roof." As a rule that last poor plunder of a ruined church had been stripped off and sold long ago.

Just before Christmas, 1614, Ogilvie was taken back to Glasgow, and fettered to an iron pole. Spottiswoode and others received a commission to ask Ogilvie questions about the royal supremacy and the Pope's claims to jurisdiction. He maintained (says the official account) that the Pope was supreme over the king in spiritual matters, and has power to excommunicate the king, just as (according to some authorities) the General Assembly had. As to whether the Pope could depose the king, Ogilvie refused to answer, nor would he say whether it was lawful to slay an excommunicated prince. He was tried, on these replies, before the provost, bailies, Spottiswoode, and some nobles, on February 28, 1615. The charge was, not that of saying mass, nor anything that could "touch him in conscience properly," but "for declining his majesty's authority." He refused to acknowledge the jurisdiction, or to admit that his opinions were treasonable He bearded the court: his ideas, he said, as regards royal supremacy in spiritual matters were those "of the best ministers of the land, and if they be wise, they will continue so." The Jesuit agreed with those enemies of the Kirk who called it Jesuitical. A council of the Church, he said, had not determined the point as to whether excommunicated princes might be killed. On this point Knox and other preachers, had shown a hankering after some privileged Jehu, to slay tyrannical princes. Ogilvie was convicted—there was no help for it—and was hanged. The official account does not say what Father James Brown, S.J., does say, that a preacher was commissioned to offer Ogilvie, aloud and publicly, life, the hand of Miss Spottiswoode, and a very rich prebend, if he would turn Presbyterian (Douay, February 23, 1672). Father Brown was rector of Douay in 1688. He must have told this legend on the strength of tradition derived from his father, who, it seems, like Crito in the case of Socrates, had tried to induce Ogilvie to break prison. A public

offer of the hand of the Archbishop's daughter could scarcely have been omitted by Calderwood, who must have seen the archiepiscopal absurdity. The anecdote is cited by Father Forbes Leith.[19]

An effort was made to prove that Ogilvie did not die for his religion, but for his politics. In fact, had an atheist, or a Presbyterian, or an Anglican, gone about teaching, and declined to say whether or not the king might, in any circumstances whatever, be lawfully slain, he would have been hanged. Knox, with his prayers for a Phineas, was exactly in Ogilvie's position. Religion had caused too many murders of eminent victims; too many hot heads were ready to act on the doctrine which Father Ogilvie refused to disclaim. Apparently he might, without dishonour, have disclaimed it, as no council had pronounced on the subject. He deserves our sympathy, like other brave men of all creeds, but his ideas could not be endured. Calderwood says that some took the hanging of Ogilvie as done "to be a terror to the sincerer sort of ministers not to decline the king's authority in any cause whatsoever." He was the second priest or Jesuit that was executed since the bastard Archbishop of Glasgow was hanged,[20] for Buchanan speaks of a priest who was hanged for his religion—the very priest who, on evidence received under seal of confession, accused Archbishop Hamilton of Darnley's murder.[21]

It must, in fairness, be said for the ruling classes of Protestant Scotland, that they, in opposition to the preachers, laboriously avoided carrying religious persecution to the death penalty. It was the error of James that in ecclesiastical matters he could not obey the proverb, "Let sleeping dogs lie." He was determined that nobody should live in the realm who was not of the same religion as himself, and his majesty's religion was a thing of rapid development. He now reached a stage of fairly high Anglicanism of an ornate kind. This he began to force upon his Scottish subjects, who liked their religion bald and bleak. Preachings thrice a week (Tuesdays, Thursdays, and Sundays), very rare communion services, not much music, and no works of art in church except the heraldic decorations of the lairds' pews, recommended themselves to the Scots. The communion was taken sitting, as in the first institution of the Lord's Supper, and the bread, apparently, was broken by the communicants as they passed it from each to each. The purpose was to preserve the original aspect of a common though sacred meal. Kneeling was deemed to imply adoration of the sacred elements,

and the Scottish communion avoided the sacred seasons of the old faith, such as Easter and Christmas.

It seemed easy for James to leave these things as they were. What he had a right to secure, if he could, was immunity from clerical interference with the State, and freedom from the insults of the pulpit. In these respects he had now no ground of complaint. His two "Courts of High Commission" (the name being of evil association in England) had been set up in 1610, had enforced ecclesiastical and moral discipline, and in 1615 had been consolidated into one court. In the same year, in June, the death of Archbishop Gledstanes left St Andrews and the primacy of Scotland open to Spottiswoode, who preached himself in on August 5 and 6. Law succeeded him in Glasgow; Graham, of Dunblane, took the Orkneys; and Bannatyne, once a foul-mouthed opponent of bishops, obtained the see of Dunblane.[22] In August 1616 a General Assembly was held at Aberdeen. This was thought to be for the conveniency of the northern and less precise preachers, but we have already seen that the north could boast her precisians at Nig and elsewhere. They were much offended by the novelty of the D.D. degree conferred at St Andrews on the Principals of St Leonard's, St Salvator's, and St Mary's, with other ministers; this prejudice against the degree has long been obsolete.[23]

The Assembly was directed by the king to take strong measures against Popery, a step which never did conciliate the remnant of the old leaven, who thought Episcopal persecutions of Catholics a mere farce. Spottiswoode was moderator, not by free election, and neither the ministers nor the nobles, "with silks and satins," were regarded as having "lawful commission to vote." Time was protracted in treating of penalties against Papists to weary the faithful from the south. Such Assemblies were not regarded by the Presbyterians of the old stamp as legal and binding. Family prayers were imposed on all, "and that the minister of every parish *haunt their houses* to see the same observed," so that Scottish Episcopacy by no means meant an end of clerical *espionnage*. The name "Presbytery" was not abolished: it occurs in an article against schoolmistresses. Justices of the Peace were to apprehend people who made pilgrimages to the holy wells, but the practice is not extinct yet in the Highlands, or even in the Lowlands. Ministers were to detect and expose minor poets, "songsters, and minstrels"; they, too, have survived these severities, like Scott's hero :—

The bigots of the iron time
Had called his harmless art a crime.

There was some dealing with Huntly, who, after a recent excommunication by the Kirk, had been absolved in England by the Archbishop of Canterbury—a bad precedent. "He did it of brotherly affection, and not as claiming any superiority over the Kirk of Scotland." A new Confession, less rigid than "the King's Confession," was submitted to the Assembly. Finally, a number of the southern precisians being wearied out, royal instructions as to the discipline and policy of the Kirk were rapidly passed in a thin house. The rigid declared that they could not speak or vote freely, "having the king's guard standing behind our backs." A Catechism called "God and the King" was ordered to be used in schools.[24] Worse, a Liturgy was to be read in common prayer, though the minister was still allowed to "conceive his own prayer" afterwards. The communion was to be celebrated quarterly, "and one of the times to be Easter," a festival of man's invention, and having no certain warranty in Holy Writ. In the Confession it is averred that "the body and blood of Jesus Christ are truly present in the holy supper," but that "we participate in them only spiritually and by faith, not carnally or corporally," a rather delicate distinction. In October a new outrage occurred. "The organs which were to be set up in the chapel royal were brought to Leith." The Abbey kirk at Holyrood and the chapel royal were also repaired and redecorated against the coming of the king.[25]

The Acts of the Assembly, except one ordaining the confirmation of the young by bishops, were, his majesty said, "a mere hotch-potch"—"hotch-potch" being the name of an excellent broth of promiscuous elements. He wished that—(1) the communicants should kneel, not sit; (2) that the communion might be administered to the dying at home; (3) that baptism should be administered on the first Sunday after birth, and, if necessary, at home (this was the common practice in Presbyterian families down to very recent times); (4) that the chief anniversaries, such as Christmas, Easter, Pentecost, should be observed; (5) confirmation and instruction were insisted upon. Spottiswoode remonstrated: it would be difficult to get these articles admitted.

James, therefore, deferred them till his own visit to his native country. His "salmon-like instinct," he said, had long made him wish to see his own country. There his loyal subjects supposed

that he had pardoned Somerset for the murder of Overbury, because Somerset had been privy to the poisoning of Prince Henry! This is reported by Calderwood: it is only one example of the charity of Scottish opinion.[26] A man who would have gilded figures of the apostles set up in the royal chapel (and that was James's intention) was capable of anything. First, an organ; then images; then murder, then the mass! The images were the substance of remonstrance by the bishops, whom James answered angrily (March 13, 1617). He did not erect the figures, but merely because there was not time enough to have the work well done. The bishops' ignorance amazed James. They did not object to figures of "lions, dragons, and devils," only to those of patriarchs and apostles.[27]

The visit of James, with the preparations of every kind for a retinue of 5000 persons, perturbed Scotland. Beggars were to be driven out of Edinburgh, game was to be preserved, ruins were to be pulled down, new dwellings erected, and all this would have been good for business if tradesmen could have cherished a confident hope of being paid. On this point they were gravely sceptical.

The king crossed the Tweed on May 13, 1617. Space does not serve for a minute account of the royal progress.[28] Bacon came, and Lennox, Arundel, and Shakespeare's Southampton, William Herbert, Earl of Pembroke, and the young favourite, Villiers, Earl of Buckingham, and, among other divines, Dr William Laud, like the evil fairy at the christening, like Discord at the banquet of the Olympians. On Friday, May 16, James entered Edinburgh. The pageants and pedantries were of the usual kind. James made for Falkland and Dundee, and his old hunting grounds, and every palace spoke to him of raids by Bothwell or Gowrie, of imprisonment and escape. At Holyrood he may have slept in a bed of gold and silver work, wrought by his mother's hand: he must have held court in the rooms that had reeked with the blood of Riccio. After a stately visit to Morton at Dalkeith, Parliament was "ridden" on June 17, and the holding of Parliament in a prison (the Tolbooth) may have surprised the English visitors.

The most important fact in James's visit to Scotland was his dealing with the Kirk. He had promised to make no alterations; publicly he had promised, privately he had told Spottiswoode that he would clarify the hotch-potch of the Assembly of Aberdeen in 1616. He began by making the Council kneel at the sacrament in the royal chapel. Laud wore a surplice at the

burial of one of the Guards—that harmless-looking surplice which has an effect so maddening on many minds. In the Parliament discontent was shown. James's list of Lords of the Articles was not accepted. The very first article ran, "That whatsoever conclusion was taken by his majesty with advice of the archbishops and bishops in matters of external police, the same should have the power and strength of an ecclesiastical law." The very bishops themselves said that "advice and consent of presbyters" were necessary, so "a competent number of the ministry" was added in a new clause. The preachers began to agitate. One Struthers prayed God to save Scotland from Anglican rites. On June 27 fifty-five preachers signed a protest against the practical abolition of the powers of the General Assembly. The signatures did not come to James's hands, but the protest did. His Majesty, hearing a dispute outside his dressing-room door, rushed forth, in an unaffected costume, and found Spottiswoode squabbling with Hewat, who had the copy of the protest. The leaders, repenting, had asked Spottiswoode not to let it reach James, but Hewat was for presenting it. James looked at the paper, asked where the signatures were, and then in Parliament caused the article protested against to be dropped.[29] But that night James summoned the most noted preachers to meet him, on July 13, in the castle chapel of St Andrews, now scarcely traceable among the ruins. Spottiswoode gives the king's speech on this occasion. He asked why his five points, as to kneeling at the communion and the rest, had not been accepted by last year's Assembly at Aberdeen. Again, they had "mutinously" protested against the first article in the June Parliament at Edinburgh. What, he demanded, were their scruples, what their reasons? The preachers asked leave to withdraw and discuss, which they did in the Town Kirk in South Street. They then asked that a General Assembly might first consider the king's new articles. Patrick Galloway is said, by Spottiswoode, to have offered his assurance that the Assembly would be obedient, and an Assembly was fixed for November 25 at St Andrews.[30]

The High Commission also sat, and Calderwood, the historian, was called before it. He was now a man of forty-two, and he played the part of Andrew Melville and his other heroes. The charge was that he kept the protest of the ministers drawn up in June with all the signatures. He said that he had given the roll to Andrew Simpson, another preacher, then warded in Edinburgh Castle. He

was next accused of attending the "mutinous" meeting of the protesters. The dispute raged between James and Calderwood as to the power of the Assembly "to make canons and constitutions of all rites and orders belonging to Kirk polity." There was much wrangling on minute technical points, personal to Calderwood's own position, for he had been under a kind of ecclesiastical arrest. There was a confused scene, several people speaking at once, and some pushing Calderwood about. Apparently there was some misunderstanding on technical points, Calderwood misapprehending James's meaning, and James misconceiving Calderwood's. In the end, probably by the influence of the bishops, Calderwood was exiled.[31] He did not at once leave the country, but remained till after the king's Five Articles had been accepted by the Assembly of Perth, in August 1618. Then Calderwood produced a tract against the innovations and the legality of the Assembly which accepted them. The Assembly at St Andrews, in November 1617, had been thinly attended, and had merely trifled with the subject. James was indignant. In letters not without coarse humour, he rebuked Spottiswoode and the bishops; *they*, at least, should keep Christmas with sermons and ceremonies. He would cut off the stipends of all recalcitrant ministers, and stop the "Constant Plat" or commission for the better endowment of the Kirk. The bishops were themselves most reluctant to force the king's Five Articles on the country.

James had outraged Scottish feelings where they were most tender, by a proclamation licensing sports in Lancashire on Sunday. The populace, he said, had but one free day in the week, and on that day, for lack of amusements, they tippled in alehouses. Let them go to church first, and play at any harmless games in the afternoon. James had, now and then, a dangerous knack of being in advance of his age. The prohibition of amusements on Sunday was, in fact, a mere invention of Presbyterians. There was a Biblical command not to *work* on the *seventh* day; the Kirk had made it of all rules the most sacred not to *play* on the *first* day of the week. When Mr Black, who was the occasion of the Edinburgh riot of 1596, was asked to set down a list of precepts, "he placed in the forefront that order be taken for keeping of the Saboth day," though why Sunday should be styled Sabbath has always perplexed the ungodly.[32]

The ancient faith offered a number of things that could be done,

and done with, penance, pilgrimage, and so forth. In this sort the Kirk had only "the Sabbath": you could definitely abstain from golf or football on Sunday, whatever you might do in the rest of the week. Perhaps this was the cause of the increasing strictness of the Scot about Sunday, and that sentiment James ruthlessly offended. His articles, the Articles of Perth, were voted in the Assembly of August 1618. It was easily proved to be an illegal Assembly, pamphlets concerning it flew about, especially that of Calderwood was notorious. People fled the churches where kneeling was enforced, or did not kneel. Men of all ranks were recalcitrant. The Earls of Roxburgh and Linlithgow made ingenious excuses for evading the practice, as did the Provost of Edinburgh and Sir James Skene. The archbishops who disliked the Articles, or rather the trouble about the Articles, as much as any one, were perpetually arguing with non-conforming preachers. The great old name of William Kirkcaldy of Grange reappears; its new bearer wrote a pamphlet against the Articles of Perth. Mr Robert Bruce was again in trouble for contumacy. Sentences of banishment and fines were frequent.

The Easter of 1621 could not be reckoned a success. In the Little Kirk, on Good Friday, there were about sixty men and twelve women. The fair sex were, in religion, the more tenacious; Catholic ladies got their easy husbands into trouble, as did Covenanting ladies under Charles II. Wives and mothers now kept the less resolute sex from conformity, and the ladies are said to have filled Mr Calderwood's purse well before he went abroad, while Lady Cranstoun had especially sheltered him, though not as Dainty Davy was later concealed at Cherrytrees. The communion in the Old Kirk was peculiar. "The Chancellor distributed the bread to four or five, but Mr Patrick gave it to them all over again, to make sure work." All the women present did not kneel, they resolutely sat. The University did not communicate at all. The general public communicated sitting, at Dalkeith, Duddingston, and Prestonpans. The profaner sort, in May, went to May revels at Roslin, while English and Dutch artisans set up a Maypole at St Paul's Works. This we know to have been a heathen abomination denounced by the prophets of old. (For the Assembly of Perth, see Calderwood, vii. 304-339.)

Parliament was appointed for the first of June 1621. "The best affected professors" began to agitate, and wished the Town Council to petition against the Articles of Perth. The Provost was afraid to

receive and present the address. Some ministers did send in a supplication to no purpose. On July 22, Parliament having been put off, a preacher dealt with the king in the fearless old fashion, and publicly insulted the bishops to their faces. He was warded in Dumbarton. The preachers had gathered from all quarters and were expelled from the town; they had been canvassing for votes as to the Articles. They published long protestations and admonitions against "usurped government and damned hierarchy."[33] These tracts influenced the voters, but were counterworked by the Marquis of Hamilton, the king's commissioner, and by Tam o' the Cowgate, now Earl of Melrose. The first business was financial: James's expenses for his daughter Elizabeth, the wandering Queen of Hearts and of Bohemia, being very heavy. The Lords of the Articles were selected thus: the bishops chose eight peers, *they* chose eight bishops, and the sixteen chose eight barons, or lairds, and eight burgesses. The officers of State voted with the Lords of the Articles. A considerable amount of taxation was imposed, including an income tax for three years on investments. The Lords of the Articles carried, by a large majority, the Articles of Perth. On the last day of the Parliament, as the Lords were riding to the Tolbooth, an omen occurred. A swan flew over their heads, "muttering her natural song." Calderwood is as fond of omens as Homer or Livy; the people deemed the portent evil; but we are not told whether the bird flew from left or right: δεξιός or ἀριστερὸς ὄρνις. The amount of pagan superstition among the brethren is amazing.

The protest of the preachers was not accepted. The Articles were offered *en bloc*, no debate was permitted; votes were given as "agree," "disagree," and Calderwood asserts that "disagrees" were recorded as "agrees." Proxy votes, which had recently come in, were allowed. The Articles were carried by a considerable majority. "God appeared angry at the concluding of the Articles," observes Calderwood: the month being August, there was a thunderstorm. The day was called "Black Saturday." The ungodly had the impudence to aver that the Articles, like the law of Moses, were confirmed by fire from heaven, which Calderwood regards as "a horrible blasphemy." Thus heaven and the swan were moved by what clearly was a despotic, unconstitutional, and hasty proceeding. But as arguments in debate do not affect votes, the house might have discussed the Articles for a month without

arriving at any other decision. "The ayes have it." The Articles of Perth were as important as injudicious, and filled the mouths of men. The learned editor of the "Privy Council Register" doubts whether many of the Presbyterian clergy of Scotland to-day could tell what the Five Articles of Perth were.[34] If he is right, the education of the Presbyterian clergy, as regards the history of their own Church, must be neglected.

The affairs of the Kirk now continued to be one long course of compulsion and resistance. Bruce was sent back to Inverness: the Easter and Christmas communions were deserted, or were scenes of disorder. The entry of conformist ministers to parishes was opposed. On June 16, 1622, died the great Chancellor Dunfermline, James's chief minister in Scotland, the upright Octavian of old days. Even Calderwood has a good word for him, though he was "popishly inclined." "He was a good justicier, courteous and humane both to strangers and to his own country people, but no good friend to the bishops." A Catholic himself, Dunfermline would have governed Scotland well: neither he nor any other statesman, lay or clerical, approved of James's despotism about the Articles of Perth. Dunfermline was succeeded in the chancellorship by Sir George Hay, Clerk of the Register. The king now bade all preachers take example by the English Book of Homilies, "a pattern and a boundary, as it were, for the preaching ministers." Nobody was to touch on "the deep points of predestination, reprobation, or grace," things to be left to bishops and deans. Faith and good life were alone to be the topics. Puritans and Papists were not to be attacked from the pulpit.

Here was a drying up of the wells! No politics and no predestination were permitted in the preaching place, "a blash o' cauld morality" alone was left to the brethren. Tyranny, it might seem, could go no farther.[35] But tyranny could go farther. In the New College at St Andrews the English Liturgy was actually used in chapel (Jan. 15, 1623). On June 20 a portrait of the king, at Linlithgow, fell from the wall. As a king of France did not survive a similar omen for more than six weeks, it was reckoned that James's time might be short. It was not to be long, but Lennox died first, and suddenly, on February 16, 1624. He was kind and popular, and never meddled in Kirk matters. The opposition to the Articles waxed so strong in Edinburgh that a proclamation was issued against conventicles (June 10, 1624). James actually

threatened to remove the Courts of Justice from Edinburgh—the old threat after the December riot of 1596—if the citizens would not go to communion on Christmas day. But on December 15, 1624, the Council proclaimed that on November 26 James had agreed to defer his threats, as in the proclamation, till Easter. He died on March 27, 1625: "the Lord removed him out of the way fourteen days before the Easter communion." So says Calderwood, who mentions the reports that James was poisoned by the mother of Buckingham. It would have been just as easy for Episcopalians to say that he was poisoned by an agent of the Presbyterians.

The king passed away in the midst of the tempest which he had raised, which his son would raise to a higher power, but which only years could lull, *pulveris exigui jactu.* Not only justice and fairness, but the most ordinary common-sense, should have warned James against this final and fatal meddling with the consciences of the majority of his people. Conscience in these days went for very little. James had burned two Unitarians in London without provoking remonstrance, but then the Unitarians were a little flock. The consciences of Catholics were wronged every day: they were driven into impious temples, and compelled to sit at a sacrilegious feast. But if numerous, they were weak and without leaders; the world was against them. To force, as James did, the consciences of the Presbyterian majority, who were soon to have leaders enough, and who had arms and resources, was not more cruel and wicked than to burn Unitarians, and drive Catholics, by fines and banishment, to eat and drink their own damnation. But that infamous policy, as against Catholics, being approved of by the majority, was successful. To constrain the conscience of the learned, the rich, the many, even of the nobles in several cases, was not more wicked, but was impolitic to the verge of insanity.

Even Spottiswoode was heard to say that the king was determined to be his own Pope. His theology had advanced rapidly since the day when he told the General Assembly that the Church of England dealt in "a mass without the liftings" (the elevation of the host), and that Christmas and Easter were human inventions. Though James is said, not on the best authority, to have foreseen the mischief inherent in the character of Laud, no one could tell where he would stop. He might become a Catholic after the manner of Henry VIII., and enforce a popeless Catholicism. The Articles of Perth seem very trifling matters to us: to the Scots

they implied acceptance of every doctrine that they disbelieved in and detested. The king, by an autocratic violence, was forcing them to forswear their creed and imperil their immortal souls. They were being constrained to be idolaters. "The Spreit of God" was banished from their congregations. The Divine afflatus was checked by

De par le Roi ; défense à Dieu
De faire miracle dans ce lieu.

It was thus that the conduct of the king appeared to the minds of the Presbyterians. They had brought it on themselves. Their irreconcilable way, their taunts and insults, their intolerable claim to political interference, based on their inspiration, had never been forgotten or forgiven by James. Not content to break their power, in its pretensions as absurd, in its consequence as insufferable as his own, he had given his son Charles to a woman of the idolaters. Who knew but that, like Argyll, he might become an idolater himself? He died before discontent broke into flame, *felix opportunitate mortis.*

On James himself the final word was spoken when he was called "the Wisest Fool in Christendom." Despite his ungainly and disgustful ways, his grotesque eccentricities, his pedantries, his shameful favourites, and evil example of tolerating vices, some of which he did not practise, James was probably the ablest man of his house since the death of James I. of Scotland. That he should have succeeded as he did, despite his personal disadvantages; that he should have floated through the ceaseless turmoils of his reign in Scotland, and escaped the intrigues of England,—aimed at his liberty, but involving danger to his life,—these things proved remarkable qualities. Once safe in England he had really nothing to fear from the Kirk, the danger came from his own intolerable despotism. While he was in Scotland the Kirk could agitate till a sufficient number of nobles was ready to seize the royal person. That was the danger which his accession to the English Crown annihilated. A wise man would have taken the opportunity to be tolerant of the preachers. But James only showed his cleverness in wrangles with them, his folly by goading them to resistance.

Having the opportunity, for the first time in history, to quiet the Borders, he took it, and he was not wholly unsuccessful with the Highlands. No man could put down the feuds of the nobles and the gentry, but he considerably discouraged them. His ineffable

conceit and relentless egotism (not unaccompanied by good nature where he was unopposed), and the dissimulation bred by a youth of fear, in an atmosphere of universal falsehood and treachery, were his worst moral qualities as a man. Though a pedant he was learned, probably the most learned man who ever occupied a British throne, though in literary qualities he was far behind the royal poet who was slain in the Dominican monastery of Perth; while in wit he could not compare with Charles II. To regard James as a mere grotesque figure, "gentle King Jamie," is an error: he could be terrible. As a rule, when he was in the right (as in the matter of the Union, and in his toleration when politics were not concerned) he was in the right too soon; while in the matter of witchcraft he was in the wrong too late. Too late, also, he was in his almost unavoidable acceptance, as doctrine, of the Tudor practice of despotism. No king of Scotland was encouraged by such fulsome flatteries as, in England, continued from the courtly abasement of Elizabeth's reign.

James took for realities the formulæ of adulation which survived from the court of a woman and a Tudor. Parliament could not remove the fond illusions on which his son was to make shipwreck. Of James's six immediate ancestors, five had died a violent death, as his unhappy son was to die. Charles I. was the only Stuart king since Robert III. who did not begin his reign with a long minority. That which had been so constant a curse to his house might, in this one case, have been a blessing. To James alone, the least desirable, the most distasteful of his line, did Heaven give good fortune. How he abused the gift has been made manifest.

The period covered by our volume ends with James's death. But we must return, in the following chapter, to the remoter and more lawless portions of his realms.

NOTES TO CHAPTER XIX.

[1] Spottiswoode, iii. 156.
[2] Spottiswoode, iii. 148-155, December 1604.
[3] Register Privy Council, vii. 512-513, 517-518.
[4] State Trials, vol. ii. pp. 561-695.
[5] Pitcairn, ii. 584.

[6] Spottiswoode, iii. 289, note by Mr Mark Napier, apparently.

[7] To what extent James was consciously implicated in this affair of the letter to the Pope, or in Ogilvie of Pourie's mission to Rome and Spain in 1595, is a very obscure question. As to the letter which caused the ruin of Balmerino, Mr Hume Brown says, "There can be little doubt that James wrote it" (Hume Brown, ii. 237, note 2). Mr Gardiner disbelieves this, and speaks of the king's "transparent ingenuousness" (Gardiner, ii. p. 33). The author inclines to agree with Mr Gardiner, that Balmerino's confession contains the truth (Pitcairn, ii. 568 *et seq.*). As for Ogilvie of Pourie, in 1601 he wrote to the king, "I never had or used any commission of your majesty to any foreign prince in my life, neither in Flanders, France, nor Spain," which is probably true, though it is Pourie who says so (Hatfield MSS. 90, vol. cxxxvi.). Cf. p. 496 *supra*.

[8] Privy Council Register, ix. ix.

[9] Privy Council Register, ix. xiii. xv.

[10] Privy Council Register, ix. 75.

[11] Privy Council Register, ix. 714, 715.

[12] Calderwood, vii. 164.

[13] Calderwood, vii. 173.

[14] Pitcairn, iii. 254, 257.

[15] Relatio Incarcerationis et Martyrii P. Joannis Ogilbei . . . descripta ad verbum ex autographo ipsius (Duaci, 1615).

[16] Calderwood, vii. 193.

[17] Botfield, Original Letters (1852), ii. 385, 387.

[18] Botfield, Original Letters, ii. 399-401.

[19] Narratives of Scottish Catholics, pp. 311, 312.

[20] Calderwood, vii. p. 196.

[21] See Chapter IX. of this volume.

[22] Calderwood, vii. 203.

[23] Calderwood, vii. 222.

[24] On this work see Dr Masson, Privy Council Register, x. cviii. cix.

[25] Calderwood, vii. 220-242; Spottiswoode, iii. 230-238.

[26] Calderwood, vii. 243.

[27] Original Letters, ii. 496-499.

[28] See Privy Council Register, vol. xi.

[29] Spottiswoode, iii. 241, 245.

[30] Spottiswoode, iii. 246, 247.

[31] Calderwood, vii. 261, 271.

[32] Hay Fleming, St Andrews' Kirk-Session Register, ii. lxxiii.

[33] Calderwood, vii. 472-488.

[34] Privy Council Register, xii. p. lxxxv.

[35] Calderwood, vii. pp. 560-562.

CHAPTER XX.

HIGHLANDS AND BORDERS.

1603-1610.

A NECESSARY result of James's accession to the English throne was the pacification of the Borders. For several centuries the Marches of the two countries had been in a social condition much like that of the tribes on the Afghan frontier of India. A warlike population, existing in the clan system, had no particular morality or loyalty, except fidelity to the laird, to "the name," and to outlaws and banished men. "On no condition was extradition" allowed on the Border. Property consisted chiefly of cattle and horses, and, by endless raids, was kept in lively circulation. There was, of course, a standing feud between the clans on either side of the burn or glen which constituted "the Border" in each district. But the feud between English and Scots, as such, was relatively mild, and even humorous,—a kind of game with rules of "hot trod," and "cold trod," and so forth, of its own; these laws regulated raids and the recovery of cattle stolen in raids. The wardens, also,—it might be Buccleuch and Scrope, with their deputies, such as Scott of the Haining, and Salkeld of Corby,—had peaceful days of meeting, when the riders of both sides met and discussed their feats of robbery and fire-raising, and their duels, much as men might discuss a foot-ball match. Now it is the Captain of Bewcastle who has harried Jamie Telfer of the Dodhead; now it is Jamie Telfer who has "warned the water speedily," and brought all the Scotts of Upper Teviotdale down on the Captain of Bewcastle.

Rough "riding ballads" were sung about these feats, which now and then entailed a vendetta, but, on the whole, did not cause much bad blood. In fact, one of the peculiarities of the Border was that

certain clans, as the Netherby Grahams, the Elliots, Crosbies, Nixons, and Robsons, were of dubious nationality: they might take either national side, as opportunity served and temptation arose. Probably Buccleuch contrived the rescue of Kinmont Willie with the aid and connivance of the Grahams who lay between Langholm and Carlisle. On both sides of the line the adjacent clans had a common interest in preserving their lawless freedom. Justice only took the shape of sporadic hangings of "pretty men," who were respected and regretted, and left friends and sons to carry on the old sportive military existence. Private feuds between clans and neighbours were more cruel and violent than the skirmishes of an international character. Kers and Scotts and Elliots, in the east and centre, Maxwells and Johnstons in the west, and in Dumfries and Galloway, fought like fiends, for centuries, over some old quarrel of which the origin might be lost, but which produced new bloodshed and new revenges in every generation. The Criminal Trials are full of "spuilzies," maiming of cattle, burnings, shootings "with hagbuts and pistolets," slayings of men. The existence of this animated kind of society was inevitable while the two countries were separate.

But when James became King of England, the Borders, as he said, became the "heart of his royal empire." The shires of Berwick, Selkirk, Roxburgh, Peebles, Dumfries, and the Stewartries of Dumfries and Annandale must be brought to order, and five gentlemen were appointed commissioners for that purpose. They had powers to hold courts, and were granted immunity for "any mischance or inconvenient," such as hanging the wrong man. For Northumberland, Cumberland, and Westmorland commissioners were also appointed. Extradition was now to be the order of the day. The incorrigible were to be, rather vaguely, "removed to some other place," where "change of air" might "make in them a change of manners." Of the English commissioners, the name of Sir Wilfrid Lawson is most familiar to modern ears; of the Scots, Gideon Murray of Elibank on Tweed. All dubious characters were to be disarmed, especially of hagbuts and pistols, before May 20, 1605; and a kind of census of the natives was to be taken. No gaols existed, so new gaols were to be built in the burghs, and as the prisoners could not maintain themselves in prison, and the burgesses would not, "justice is to be administered to them as soon as possible." Hence our proverb, "Jeddart justice: hang a man

first, and try him afterwards." So the commissioners, not without misgivings and questions, began to hang persons like "Jock of the Shiels, ane lymnar of auld." They doubted about poor Jock, but the Lords said "Hang him." Tom Armstrong, "a proper young man," against whom there was no evidence at all, the Lords ordered to be hanged, merely *pour encourager les autres*. A horse had been stolen, its owner went to Peebles to testify that Tom was innocent, yet the gallows got him. In April 1606 we find some forty proper men hanged—surely the worst use to make of them; and about fifteen others, including a bastard of Kinmont Willie, were hanged in November. Scores of freebooters were fugitive in the hills and morasses, pursued by "lurgg dogges." Cranstoun got an indemnity for executions done without trial; and the active Earl of Dunbar was placed on the Border Commission. In 1607 a number of small Border lairds—Rutherfords, Elliots, Kers, and Scotts—were removed from the Border, and warded in northern or inland towns; and the same policy, in 1608, was exercised on a crowd of gentry of the house of Maxwell; all were sent north of Tay. By July 1609 the doers of the work could congratulate themselves that the Borders were tranquil.[1]

One noble victim perished in the persistent massacres of rough justice. This was Lord Maxwell, who was a Bothwell for reckless mischief. He was the son of the sixth Lord Maxwell, who, after Morton's execution in 1581, for a while bore the title and brooked the lands of Morton. In 1585 Morton's attainder was reversed, Maxwell lost his prize, and took to intriguing with Spain. He was taken prisoner, and Johnston succeeded to his wardenship of the West Marches. Though the wardenship was restored to Maxwell, his clan and that of the Johnstons entered on a feud: and in a great battle (Dec. 7, 1593), on the Dryfe Sands, Maxwell was defeated and slain. Some 2000 men fought on either side; and the phrase, "a Lockerby lick," is said to be derived from the ghastly wounds inflicted on the fugitives in the streets of Lockerby. Maxwell's son inherited the feud, and, at a meeting for reconciliation, shot Sir James Johnston through the back (April 6, 1608). He was warded in Edinburgh Castle, but made a dexterous escape, wounding several of the warders. In 1612, being in the north of Scotland, he was betrayed by his kinsman, the Earl of Caithness, and, on May 21, 1613, he was beheaded at Edinburgh. This execution was procured by the Laird of Johnston's friends, specially

by Sir Robert Ker, Earl of Rochester (Somerset the favourite), "the chief guider of the court at that time," says Calderwood. There was a great deal of sympathy with Maxwell though he was a Catholic. He certainly had the charm of recklessness, and though he had treacherously murdered a man under trust, the man had been his feudal foe.[2]

At this distance of time (with all respect to the name of Maxwell), we feel more pity for poor Tom Armstrong, who was hanged merely for being suspected of knowing too much about the stealing of a nag. The execution of the Mures of Auchendrane, in 1611, for a series of cold-blooded murders, later to be described, proceeding from a murder-band or contract of the usual sort, proved that, in Scotland, the law was beginning to be a terror to evil-doers, even when of good county families. It may be remarked that fifty years of an open Bible, and of the Truth constantly preached, seem in no way to have mollified the ferocity of the Scottish people, but rather, if anything, to have increased their bloodthirsty dispositions. A few mounted police and the expense of some miles of rope were infinitely more efficacious. The reduction of the Highlands was undertaken simultaneously with the settlement of the Borders, but was a task much more difficult, and, by the Stuart kings, never fully accomplished.

THE HIGHLANDS.

In various parts of the Highlands Presbyterianism is still called the Religion of the Yellow Stick. There is a legend that a chief caned all his tenants into kirk, where or at what date is unknown. The great Lauchlan Maclean of Dowart, as we have seen, was a Presbyterian, and took the Covenant in "the Little Kirk" on the day of the Edinburgh riot of December 17, 1596. Mackintosh also spoke generously of planting kirks, and James Melville was convinced that the Celts would make good Presbyterians. But the West Highlands and the Isles, like Nithsdale and Galloway, were not yet "planted" with ministers, and the West was little visited by the few wandering and skulking Catholic missionaries. These regions, therefore, like Galloway and Annandale, were especially turbulent. Macleods, Mackenzies, Macgregors, Macdonalds, and Macfarlanes lived in a state of open war, or, in the case of the two latter clans adjacent to civilisation, of brigandage.

It was necessary to try to bring the Celts into order, a task in which the Crown never succeeded for want of money, of a standing army, and of police. The difficulties, when a royal expedition was attempted, were of a kind not unfamiliar. The castles of the island chiefs were of a strength impregnable to the weak artillery of the assailants. To burn the cots and destroy the crops of the clansmen might irritate but could not subdue the hardy recalcitrants. Swift-footed and mobile, they succeeded in night surprises of camps, and, if hard pressed, easily escaped by boats to other islands. A common ruse was to attack a camp, and then fall back among their unmapped hills and glens, alluring the pursuers into ambushes for which every wood and corry afforded shelter. Driven far from their base, the royal forces were now attacked by overwhelming numbers; now returned to find that their camp had been fired, and that their supplies were in the hands of the enemy.[3]

On July 9, 1599, the Privy Council tried what could be done by a vigorous proclamation. The Celts were persecuting what may be called the Chartered Company of the Lewes, which was an association of Fifeshire and other gentlemen to exploit and establish towns, agriculture, and fisheries in that island. A commission was given to Lennox and Huntly to quiet the Lewes and collect the royal rents. The two lieutenants were to be assisted by a council of nobles and gentlemen.[4] Negotiations were entered into in the September of the same year for reducing the southern isles and promontories of the West coast. The focus of trouble was the Castle of Dunyveg in Isla, the old royal seat of the sons of Somerled. For sway in Isla, and the long, narrow, but fertile peninsula of Kintyre, Macdonalds had been cutting each other's throats, while Macleans took part in the fray, and Campbells waited for their opportunity, which was soon to come. Probably the rightful holder of Dunyveg was the truculent old Angus Macdonald, whom his son, Sir James, once burned out of his house. In 1599, in September, negotiations were begun with Sir James Macdonald. He was to evacuate Kintyre in favour of new settlers; was to place the Castle of Dunyveg, in Isla, in the king's hands; and was to receive, as royal tenant, the lands of Isla, and make provision for his father, Angus, whom he had once nearly burned to death.[5] No good came of all this, for which Sir James and his friends blamed Argyll and Campbell of Calder. Sir James was a polished ruffian, but the Campbells usually bear the weight of all turmoils which turned to their own advantage.

In October 1599, fortified by hopes from Lennox and Huntly, the Lowland settlers, with an armed force, set off to "plant" the Lewes. Unsheltered in the wild weather, they sickened and died. Leirmont of Balcomy was taken at sea and held prisoner by Murdoch Macleod; the curse of Andrew Melville, with whom he had quarrelled in St Andrews, was thought to pursue "this jolly gentleman," who died in the Orkneys. But Murdoch was given up to the adventurers by his brother Neil Macleod, who allied himself with the Lowlanders. Murdoch was executed at St Andrews, and the Lord of Kintail, a Mackenzie and a foe of the settlers, was imprisoned. He escaped, and continued to oppose the "planters."

James, in 1600, thought of visiting the Isles with a large array, but ships, money, men, and perhaps inclination, were deficient. The Highland historian, Dr Gregory (one of the Gregarach), accuses James of cowardice, but we know how destitute he was of money in 1600. Nicholson (July 9) writes to Cecil about the king's poverty; the Convention in which Gowrie spoke refused supplies; and (July 22) Nicholson says that the expedition to the Isles was abandoned "on account of the great scarcity in the country."[6] In June 1601 increased powers were given to Lennox and Huntly, but these powers were not used. In Skye, Macdonald of Sleat and Macleod were at feud; they were brothers-in-law, and Macdonald had repudiated Macleod's sister with insult, divorced her, and wedded a sister of Mackenzie of Kintail. Then began expeditions of murder and rapine through Skye, Harris, and the Long Island; the natives were driven to eat their horses and cats. Government interfered; Macdonald was to surrender to Argyll, Macleod to Huntly, and the clans were reconciled. The Lewes settlers now quarrelled with Neil Macleod, and had the worse of the strife; while Mackenzie of Kintail slipped on the settlers a chief who was the nephew of Neil, and had been a prisoner. Round this young Tormod the Celts rallied as the representative of the true Macleod dynasty, and they reduced the Lowland settlers to a capitulation. They kept two hostages, turned the other Lowlanders out, and secured a pardon, but the settlers did not observe the conditions, and the war was renewed, or rather was deferred, till 1603.

The Glengarry Macdonalds now went to war with the Mackenzies, and young Glengarry was slain in a night surprise of his galley. By burning a church full of Mackenzies the Macdonalds avenged this disaster, Glengarry's piper strutting round the edifice playing a

pibroch. The singular point is that there was any church to burn. But it is fair to add that Dr Gregory could find "no public notice taken of such an enormity," so we may trust that the story (so unfavourable to Glengarry) is a Mackenzie myth. The Celtic excesses in West Ross and the Isles were nearly as remote, in effect, as now is a rising in Fiji. But the Macgregors, in the Lennox, were much nearer home. This unlucky clan seems to date its misfortunes from Bruce's forfeiture of the Macdougals. They were harried from one reservation to another, a fleeting race, the Children of the Mist. As Argyll "gave them wood and water" down to the days of Rob Roy, he was responsible for their behaviour. But just as a much later Argyll, "Red Ian of the Battles," found Rob Roy a useful spy and secret ally in 1715, so the Argyll of 1603 is accused of "hounding out" the Gregarach against Colquhoun of Luss. The Macgregors invaded the Lennox, it is said, by virtue of a commission from the king. The great fight, or slaughter, of Glenfruin occurred on February 7 or 8, 1603. On January 20, 1604, Macgregor of Glenstra was tried for his feat of arms. His idea, it is alleged, was to extirpate the Colquhouns and Buchanans, and he was aided by the Camerons, the Clananverich (not Clan Vourich, the Macphersons?), and "other broken men and sorners." The Glencoe Macdonalds appear to have been in the fray.[7] The invaders wore coats of mail, and had muskets, bows, two-handed swords, and pole-axes. They entered Glenfruin, in Luss's territory, and slew, among others, "Tobias Smollet, bailie of Dumbarton," and bearer of the name made immortal by the author of "Peregrine Pickle." About a hundred and forty persons were slain, many of them as disarmed prisoners. The house of Luss was burned, and a very large creagh was driven. Nothing is said in the indictment about the massacre of a number of students or schoolboys who had made a trip to see the sport.[8]

While most writers accuse Argyll of "hounding out" the Macgregors, Calderwood says that Lady Lennox was believed to have instigated the raid. The Macgregors, one might conceive, needed little hounding out by lord or lady. In October 1603 Ardkinglas invited the chief of the Macgregors to dinner, seized him, and was taking him by boat to Argyll, when Macgregor leaped overboard and escaped. Argyll then betrayed Macgregor, under promise of sending him to England, to the king. He did carry the chief to Berwick, that is, into England, and then brought him back to

Edinburgh, where the chief was tried and executed on January 20, 1604.[9]

Poor Macgregor left a statement, written in the hand of James Primrose, Clerk of Council. Argyll, he said, had been his ruin. First he hounded the Macleans and Camerons on to the Macgregor lands in Rannoch. Then, these Macgregors being destitute, Argyll urged them to attack the Buchanans and the Colquhouns of Luss. Next this Macchiavelli suborned Ardkinglas to betray Macgregor, and Macgregor to slay Ardkinglas. How much truth there is in all this we have no method of discovering. It is certain that the very name of Macgregor was abolished by an Act of April 3, 1603.[10] The results were that many of the clan, changing their name, became sober and distinguished citizens, like the family of Gregory, which, for several generations, produced men of learning if not of genius. On the other side the body of the clan became Ishmaelites, their hands against every man's hand.

In 1608 considerable preparations were made for the subjection of the islands, and a guard of 500 was allotted to the new lieutenant, Lord Ochiltree. He was assisted by a council, with the Bishop of the Isles at its head, the warlike preacher, Andrew Knox. In August, when a handful of 200 rather useless Scottish soldiers had been sent to aid in subduing an Irish rebellion, a force of English soldiers from Ireland joined the royal levies at Isla. The Irish rebels and the islanders were apt to work into each other's hands, hence the junction of Scots with recruits from the English army in Ireland to guard against their combinations. O'Dogherty's rebellion in Ulster having been put down, English forces in Ireland were free to deal with the insular Celts.[11] Meanwhile the king and Council were occupied with plans for the "plantation of Ulster" with English and Scottish settlers, each in his peel or tower, and holding lands from which the Irish had been evicted. On the island side, the castle of Dunyveg in Isla, a hold of the Macdonalds, was surrendered and garrisoned for the Crown, as (August 17) was the Maclean fortress of Dowart in Mull. Ochiltree held a *durbar* of the chiefs, at Aros in Mull, and received them into the king's peace, or pretended to do so. Next, inviting them to dinner on board his vessel, he carried them off, and the Council warded them in Dumbarton, Blackness, and Stirling, much as the Maxwells had already been treated. The Macleods of Harris and the Lewes

were not captured. The imprisoned chiefs capitulated, and in February 1609 a large body of commissioners was appointed to deal with the island affairs.[12] By way of striking terror, that old prisoner, Sir James Macdonald, son of Angus of Dunyveg, and slayer of the valiant Maclean of Dowart, was tried for the burning of the house in which he nearly roasted his father, and for his attempted escape from the Castle, when he was taken, and Lord Maxwell got free. James, we know, had of old rather favoured this chief, who produced, but withdrew, a royal warrant for the capture of his father. He was convicted, and sentenced to death and forfeiture, but was not executed. Six years later he succeeded in escaping. Possibly it was not thought well to push him to extremities, as he had some more or less compromising old document of the king's.

Meanwhile the Bishop of the Isles had been surveying these territories and negotiating with the natives. In July he met the released chiefs and others at Iona or Icolmkill, and in August the Statutes or Band of Icolmkill were ratified. The great chiefs, mainly Macdonalds and Macleans, professed the true religion, and obedience to the king and the laws of the realm. They vowed that they would respect and pay the stipends of ministers already planted or to be planted, repair the churches, and abandon the custom of handfasting, or temporary marriages. Next they denounced the custom of sorning, or forced hospitality, and ordained that inns or hostelries should be established. Each chief bound himself to harbour and entertain only a small fixed number of gentlemen. Once more they denounced "the extraordinary drinking of strong wines and *aqua vitæ*," and the traffic in these comforts. But everybody might distil his own whisky, so that the cause of temperance took little advantage. Every gentleman owning sixty cows must educate his eldest child in the Lowlands. Unlike their ancestors in the time of Henry VIII., the chiefs at Icolmkill were themselves able to read and write. The law against using firearms was accepted. Bards and other vagabonds were to be put in the stocks, or expelled.[13]

From these statutes the historian, Dr Gregory, dates the loyalty of the Celts, as displayed under Charles I., and onwards, we may add, to the last Jacobite rising. But perhaps the natural attachment of the Celts to the lost cause, with the chances of authorised raids on the Lowlands, and loyalty to "the Kirk malignant," that

of Prelacy or of Rome, were not without influence on the later Highlanders. Even now the river Sheil and Loch Sheil are the frontiers of Presbyterianism, farther north is a large Catholic district, while in Glencoe, and Appin, and Lochaber there are Celtic adherents of James's Church, the Scottish Episcopal. Where the modern Celt does not adhere to these faiths he shows a strong tendency to beliefs and usages like those of the austere Presbyterians with whom James VI. was always at war.

Despite the submission of many chiefs the affairs of the Lewes remained unsettled. New managers and adventurers—Balmerino, Sir George Hay, and Spens of Wormiston—had undertaken to settle the Lewes in 1608. But Balmerino was disgraced and imprisoned on the old affair of the letter to the Pope, and Hay and Spens were thwarted and driven out of the island by the arms of Neil Macleod, and the intrigues of Mackenzie of Kintail. They disposed of their useless concessions to this chief, who drove out or reduced the Macleods of the Lewes. These appearances of quiet and order were, of course, delusive. Many great chiefs made solemn promises. The Bishop of the Isles (Andrew Knox) received the much contested Castle Perilous, Dunyveg in Isla, and became Stewart and Justice for the Isles, while Lochiel and Clanranald were joined with Argyll in the ferocious efforts to exterminate the Macgregors, a task for which the other clans had no heart.

Disturbances arose from a discovery casually made by Argyll in his muniment room. As far back as the reign of James V. the third Earl of Argyll had procured, through Campbell of Calder, what Calder had acquired from Maclean of Lochbuy in Mull, title-deeds to certain superiorities over the lands of Lochiel, Duror, and Glencoe. It was about 1527 that Calder, having purchased these rights from Lochbuy, and having discovered that the Camerons, Appin Stewarts, and Macdonalds or MacIans were hard to deal with, transferred the title-deeds to his brother Colin, third Earl of Argyll. The claim seems to have been forgotten for some eighty years, when Argyll happened to find the old documents, and got a new charter from the king. The man who was astonished was Lochiel, but he consented to come under Argyll's superiority. History was to prove, in the Civil War, and in 1715, and 1745, that the Argyll suzerainty was but the shadow of a name. Huntly, who had regarded Lochiel as his man, took

umbrage, and seduced away from Lochiel the Camerons of Erracht and Glen Nevis, the beautiful valley which runs up the south-east side of Ben Nevis. Even after the Forty-Five we still find the Glen Nevis Camerons (really MacSorlies) engaged against Lochiel and Fassifern, in intrigues so dark that blushing History averts her eyes, and leaves the gloomy Celtic secret in the Duke of Cumberland's MSS. Huntly's Cameron friends were put by him into lands which Allan Cameron of Lochiel held either from Huntly or Argyll. Lochiel tried to negotiate peacefully with the intruders, who gave a verbal, but refused a written promise, and asked Allan to come with them to meet Huntly. Allan mildly put the motion by; he knew what Huntly was capable of, and he rode to Edinburgh to take legal advice.

In Edinburgh he learned that "his friends" (kinsmen) were laying a plot against the life of their chief. He heard where they were to meet, hurried back to Lochaber, gathered six score fellows of the right sort, and placed them within half a mile of the scene of the hostile gathering. He set them in ambush in a wood, which lay convenient, and then, with six boys of the belt, strolled towards "his friends," asking them to meet him with other six. He had first instructed his ambushed men to lie still if all went well, if he were attacked he would fly past the wood. He went forward, was ill received, and fled under a shower of arrows. When the pursuers reached the wood, Lochiel's hundred and twenty arose from the cover of birch, and rock, and bracken; Allan turned and stood at bay, his men fell on his pursuers from the rear, slew twenty, took eight alive, and, writes James Primrose, Clerk of Council, "learned a lesson to the rest of his kin who are alive in what form they shall carry themselves to their chief hereafter." But the "form" of the Glen Nevis Camerons continued to be deplorable, though one of them "died the death of fame" at Culloden.[14]

James Primrose tells the tale, though a peaceful man, with spirit and sympathy. However, in December 1613 the Privy Council most unfeelingly outlawed the brave Lochiel, and gave Huntly a commission of fire and sword against him. He had slain, in fair fight, "the Bodach" John Cameron, also Allaster of Glen Nevis, for which who can blame him?[15] But it is a far cry to Loch Arkaig, and Huntly made little use of his letters of fire and sword.

A disturbance among the Macneils of Barra and the Macleans was characteristic. Old Barra had a family by a Maclean lady, to

whom he was only handfasted, and another family by a sister of Clanranald, to whom he was legally married. The oldest of the senior family (Macleans on the spindle side) was arrested by Clanranald for piracy against a ship from Bordeaux. He was helping himself to the claret. He died before his trial, and his brothers, with Maclean of Dowart, seized one of the legitimate family, who happened also to have been engaged in robbing the liquors of Bordeaux. He was sent to Edinburgh to be tried, but was acquitted, thanks to Clanranald. The brethren of the elder (Maclean) but illegitimate family of old Barra now seized that chief, their father, and put him in irons. The Council therefore gave Clanranald letters of fire and sword against these "lymmars" in their island. The result was the succession of one of the legal branch, Clanranald's nephew, to old Barra, who did not long survive his severe imprisonment by his sons.[16]

Old Angus of Dunyveg, father of the now imprisoned Sir James Macdonald, died, and Sir Ranald, Sir James's brother, succeeded in Isla. He must have been an ill-advised man, for he tried to introduce "the Irish laws," the Brehon laws and customs of land tenure, probably.[17] It is not surprising to hear that the Bishop of the Isles was not long permitted to retain Dunyveg Castle, which was but slenderly garrisoned. Old Angus had left a bastard, Ranald Oig, who suddenly seized the fortress early in 1614. Thereon Angus Oig, a younger brother of the imprisoned Sir James, set about recovering the castle "for the king." His kinsman Left-handed Coll (Coll Keitache, "Colkitto") succeeded in taking the place. Ranald Oig escaped by sea, and Angus retained the castle, offering to restore it to the Bishop of the Isles on conditions. The Council bade him surrender under pain of rebellion, and told the warlike prelate to seize the place. The bishop preferred to negotiate, then approached in force, but was deserted by his Celtic levies, and had to see his boats destroyed by Angus Oig. With Angus the bishop had to make terms, he would endeavour to get for him a lease of the Crown land, held in Isla by Sir Ranald, and he left, as hostages, his son Thomas, and his nephew John Knox. His letters reached the Council on October 1, 1614.[18] The Council was heartlessly indifferent to the fate of John and Thomas. They gave a commission to Campbell of Calder to subdue Isla; for which, when he had reduced it, he was to pay a rent. But Argyll, if we can believe the bishop, had been encouraging Angus to hold out.[19] It may be remarked

that, whenever the Macgregors or Macdonalds did anything especially lawless, they always said "Argyll told us to do it." If so, they ought, of course, to have found out this policy of the house of Argyll. But "these unhallowed people with that unchristian tongue" (so Sir Alexander Hay calls them in 1615) were either innocent as doves, so that Argyll could always take them with the same chaff, or they were not remarkably veracious.

Meanwhile Angus Oig made life a burden to John and Thomas Knox, and the bishop was much annoyed and distressed. Why put in the Campbells, he asked, a clan hardly less "pestiferous" than the Macdonalds themselves? Presently Angus relieved Thomas and John, understanding that he should be allowed to keep Dunyveg Castle. Royal forces from Ireland, however, arrived to demand its surrender. In January 1615 Calder joined the Irish contingent, and artillery began its work. A number of the garrison were hanged. Left-handed Coll escaped, Angus Oig was taken to Edinburgh. They had scarcely arrived, or had not yet arrived, when that old prisoner, Sir James of Dunluce, who slew the great Lachlan Maclean of Dowart, escaped from the Castle (May 24). Keppoch, the young Clanranald, and Dougal Macallester (who was in a writer's office) managed the escape; Sir James made for the Firth of Forth, crossed, and got clean away. He was nearly taken, in Atholl, by Tullibardine's men, but fled by speed of foot. He wrote interesting letters to Lord Crauford and others, protesting that he had only broken ward because he heard that Calder had a warrant for his death, and asking that his books might be returned to him. They were seized with his baggage in Atholl. One book was "The Three Conversions of England," and a manuscript "Great Chronicle." Once arrived in Keppoch's country books were scarce, but liberty was secured. Sir James sailed to Eig, and was welcomed by Coll the left-handed, with a strong force of Macdonalds, who fired their muskets to honour the chief. They next sailed to Isla and took Dunyveg. First they ambushed till the captain with a small party came out, then attacked them, killing some, but the captain escaped into the castle. This they besieged, and soon compelled a surrender, "all the Campbells in Scotland, without his majesty's power, shall not recover it as long as they live" (July 3).[20] Sir James now intended to reduce Kintyre and Jura to his subjection.

Sir James, in brief, was rehearsing, on a small scale, Napoleon's escape from Elba, and recovering the dominions of his house which

the Campbells had annexed. All this while Argyll was away from home in fear of his creditors. But in August Argyll came down; he was amply supplied with "waged men" and ammunition by the Government. Attacking the slender peninsula of Kintyre, where Sir James was, on both sides from the sea, Argyll drove the Macdonalds out, and followed Sir James to Isla, where he had two new fortresses. He drove the Macdonald strategist out to an island on the Irish coast; Left-handed Coll surrendered in Isla, he betrayed a number of his allies; the other Celts began to follow his example. Argyll now returned to Kintyre, and reduced the remnant of the Macdonalds there, while Sir James fled from Ireland to Spain; in fact, most of the leaders remained at large. Argyll very patriotically kept the waged men for six weeks at his own expense, and he had now put down for ever the Macdonald revolt in the south-western Highlands, Isla, and Kintyre. He left "ragged ends" of the task to be trimmed, but his Scottish creditors were pressing him hard, and he returned to his English and Catholic wife, who presently converted him from the errors of the Kirk, so that he was obliged to go into exile on the Continent.

His son was the celebrated Gillespie Grumach, "gleyed-eyed Argyll," who burned the Bonnie House o' Airlie, was the foe of the great Montrose, and lost his head at the Restoration. This distinguished Presbyterian leader appears, from his portrait, to have been by no means so *grumach* or "gleyed" as tradition avers. Sir James dwelt abroad for ten years, and ended his days among his beloved books in England.

The chiefs of the old Icolmkill statutes now renewed their declaration against imported wines and in favour of education. On the whole the result was the relative tranquillity of Kintyre and Isla, and the increase of the Campbell power (which henceforth was Whig), at the expense of the Macdonalds.

These movements in the tiny outlying Celtic principalities were not really unimportant. More than once in later national history the preponderance of the Campbells over the Macdonalds and Macleans turned the delicately poised scales of fortune in favour of the Kirk or of the house of Hanover as against the Stuart dynasty. The measures taken for quieting the Highlands and Isles included a system of bands among the Inchcolme chiefs, as they may be called, guaranteeing the good behaviour of their clans. The chiefs themselves (including Clanranald, and the MacLean

representatives) were to make an appearance annually before the Council in Edinburgh, and were also to "exhibit" some of the most potent cadets of their houses. The old rules against "sorners," men living at free quarters, were enforced. Probably these were muscular idlers, of course of good family, who were supported by their hosts, now as useful fighters, now as kinsmen, now from timidity, while the ancient Celtic custom which entitled chiefs, tanists, bards, and others to free entertainment gave a kind of sanction to the usage. The chiefs were bidden to reside permanently at different residences of theirs, and to cultivate home farms—partly to give their idle hands something other than mischief to do, partly as an example of industry.

The Celt is naturally, or then was, rather in the pastoral than the agricultural stage of civilisation. To keep the kye, hunt the deer, and watch the eternal and beautiful passage of light and shade on the hills, the lochs, and the sea, was more congenial than to dig and plough an ungrateful soil. To counteract these sympathetic tendencies of children of nature, the chiefs promised to take home farms, or "mains," into their own hands. ("Mains" is common in Lowland place-names, as "Branxholme Mains," the "toun" or farm on the hillside above Branxholme Tower.) An attempt was made (1616) to enforce fixed rents in place of all the many forms of service, in agriculture and in war, which of old had existed in England and the Lowlands, as well as in the Highlands. But the ancient system continued to flourish, especially in Knoydart and Moydart, till the great epoch of change after 1745. The rules as to education and importation of foreign wines were re-enacted. The practice of taking "calps," or heriots, "the best beast," after the death of a tenant was denounced. They who have the power—church, chief, or democracy—usually think that the death of a man, which impoverishes his family, gives a happy opportunity to add to their distress by taxation.

The affairs of Lochiel, still an outlaw for the lesson he read to the Glen Nevis Camerons, were complicated by a dispute with the Mackintoshes about certain lands. This matter provided a good running feud, in which occurred that slaughter of the Mackintosh branch of Clan Chattan which caused the saying, "Cat-skins are cheap to-day." Lochiel, at considerable cost, reconciled himself to Huntly by a cession of the superiority over certain estates, but, as late as 1720, the exiled James VIII. had to settle a feud between the Gordons and Camerons which grew up out of this arrangement.

The outlawed Keppoch, for his part, joined Sir James Macdonald in Spain, whither (1618) the now Catholic Argyll had also wandered. In his absence the chiefship of the Campbells was put in commission—Lundy, Lochnell, Ardkinglas, Kilberry, and others being the managers. Among them was Macdonald of Largie, in Kintyre, one of the few Macdonalds whose representative still retains the ancient property in Kintyre. Argyll having been perverted, Sir James Macdonald and Keppoch were recalled from Spain by the king; Sir James died in London (1626), Keppoch was permitted to go home. The MacIans of Ardnamurchan, hard pressed by the Campbells, took to piracy, but were put down by that son of Argyll, Lord Lorne, who was afterwards the famous Presbyterian Argyll, Gillespie Grumach (1625).

At the time of the death of James VI., when our volume closes, the northern and island branches of the House of Somerled, the Macdonalds of Sleat, Glengarry, and Clanranald, with the Campbells, were the most powerful Highland clans, while the Mackintoshes held more sway than the elder Clan Vourich (Macphersons) over the septs of Clan Chattan. The troubles of the reign of Charles I. and the Restoration alternately elevated or depressed the Campbells and the Macdonalds.

A most disturbed district of the realm lay in the remote domains of the Earl of Orkney. The Earl was a son of that Lord Robert Stewart, commendator of Holyrood, who had vainly warned Darnley to fly from Kirk o' Field, vainly admonished Morton to escape his impending doom. This Lord Robert was a natural son of James V., a natural brother of Queen Mary, so that his son, the Earl of Orkney, was no distant cousin of the king. He seemed to derive his genius from a far more distant collateral, the famous Wolf of Badenoch. He dwelt in great pomp at Kirkwall, with a regular guard of musketeers, which his sovereign might have envied; he had a fleet, and his oppressions are said to have been exercised "under a shadow of the Danish law." The bishop expected to keep him in order was Law, who, in his day, had trouble with the impetuous and learned Calderwood, the preacher and historian. By 1608 the Earl had been "put to the horn," for which he cared very little, on account of his oppressions. James rebuked the Council for not being energetic in the matter in 1608.[21] They replied that, as James knew, "they had no forces to send to Orkney" to make the said Earl conformable. He was only at the horn for a civil cause.

James made it criminal in case the Earl did not appear before them in March 1609. The Earl did appear, and was warded in Edinburgh Castle, July 1609.[22] But he had left kinsmen in Orkney as unruly as himself, while only less trouble was given by his neighbour and feudal enemy, the Earl of Caithness. In January 1610, Law, as bishop, had received a commission like that of Bishop Knox in the Western Isles. The Earl made plausible offers, which were rejected; his brother James and other kinsmen were apprehended. Things did not improve; to cut the Earl off from communications with his people he was confined to his chamber in the Castle, and was very destitute. In May 1611 the Danish laws in Orkney were abrogated by proclamation, and the Earl's deputies were dismissed. At the end of August he was allowed to dwell, under heavy caution, within four miles of Edinburgh. Meanwhile Bishop Law had been doing his best in Orkney, but Robert Stewart, bastard of the Earl, had proclaimed his own authority as soon as the bishop's back was turned.

On December 6, 1611, the Privy Council considered the grievances of the Orcadians. They were, it seems, forbidden to help shipwrecked vessels,—no great hardship to wreckers,—to carry law cases beyond the island courts, to cross ferries without a passport, and were subject to capricious confiscations. These ill customs were to be abrogated.[23] In February 1612 the Earl was removed to Dumbarton Castle, and in October Parliament annexed the lands of Orkney to the Crown. Law was appointed administrator. In January 1613 Robert Stewart, the Earl's bastard, promised never to return to Orkney. By May 1614 he had broken parole, and was setting the heather on fire in the islands. In August the Earl of Caithness was empowered to restore order, and appeared with ships and guns before Kirkwall. The siege lasted till the end of September, when the place surrendered; the walls were strong, the cannon balls of the besiegers "were broken like golf balls, and cloven in two halfs," writes Caithness. Robert Stewart was removed to Edinburgh. He was tall, handsome, and only twenty-two, so he had public sympathy at his trial (January 5, 1615).

Some of the retainers of Caithness were on the jury; many of the others were burgesses of Edinburgh. They unanimously found Stewart and his associates guilty, and the men were hanged. A month later the Earl was tried for collusion with his son, convicted, and beheaded. The names of the associates of Robert Stewart are Low-

land, unless Halcro be Scandinavian. The destroyer of the Earl, Caithness (a Sinclair) had himself betrayed his kinsman, the Lord Maxwell who murdered the Laird of Johnston under trust, and was a notorious ruffian. He later tried to drive the Forbeses out of Caithness by destroying their crops, and was a kind of land pirate. He lost the sheriffship of Caithness, and a warrant to pursue him was granted to his own son. Calderwood seems to grudge at the execution of the Earl of Orkney, who, he says, did not even know the Lord's Prayer. But Calderwood never, perhaps, approved of any measure of James, and public sentiment, in all classes, was averse to capital punishment when it was richly deserved by a noble. The plan was now to revile James for not punishing violence, now to rail at him when he did. There can be no doubt that "Earl Pate" was an ambitious tyrant, with dreams, perhaps, of a separate principality. The Orcadians were a peaceful people, probably they were as much wronged by Caithness as by their Earl, but they disliked "foreigners" —officials brought in by the central Government. Their old Scandinavian tenures and habits of wrecking were disturbed, and we receive the impression that the Claud Halcros were for the Earl, and that the complainers against his rule may have been the Yellowleeses (to cite examples from "The Pirate") of the period. But perhaps older Lowland settlers, who called themselves "The Gentlemen of Orkney," had become fond of Scandinavian institutions. They are Douglases, Grays, Sinclairs, Mowats, Gordons, with only Halcro, who was pardoned, to represent a Norse element. But, of 200 who signed the Band with Robert Stewart, only seventeen names, including initials, are given.[24] Whatever the rights and wrongs of the natives, the question of Orkney was settled. Later the Orcadians gave very weak support to the great Montrose in his final fight and defeat.

NOTES TO CHAPTER XX.

[1] Privy Council Register, vol. vii. viii.

[2] Pitcairn, iii. 28-52, the Trials of Maxwell. The details are in the "Tales of a Grandfather."

[3] Pitcairn, iii. pp. 4, 5.

[4] Privy Council Register, vi. pp. 8-10.

[5] Privy Council Register, vi. pp. 24, 25.
[6] Thorpe, ii. 784.
[7] Pitcairn, ii. pp. 431, 432.
[8] In the Privy Council Register, viii. p. 219, is a note of January 5, 1609, charging MacIan of Glencoe with the murder at Glenfruin of forty poor persons "with his own hand." This is cited by Pitcairn, ii. p. 431.
[9] Pitcairn, ii. 434, citing Erskine, Birrel's Diary, and Calderwood. Birrel calls this a "a Hielandman's promise."
[10] Privy Council Register, vi. 558, note.
[11] Privy Council Register, viii. lxxviii. lxxix.
[12] Privy Council Register, viii. 742 *et seq.*
[13] Privy Council Register, ix. 26-30.
[14] Privy Council Register, x. (1613), 819, 820.
[15] Privy Council Register, x. 186-191.
[16] James Primrose, *ut supra*; Gregory, pp. 346, 347.
[17] James Primrose, *ut supra.*
[18] Privy Council Register, x. 715.
[19] Gregory, p. 354.
[20] Pitcairn, iii. 17, 18.
[21] Privy Council Register, viii. 529, 531.
[22] Privy Council Register, viii. p. 312.
[23] Privy Council Register, ix. 297.
[24] Pitcairn, iii. 293, 294.

CHAPTER XXI.

SOCIAL CONDITIONS.

SOME idea of the social condition of Scotland may have been gathered from the pages of its general history. It could not be called happy, if compared with that of England. From the Orkneys to the Oykel, one set of feuds was raging; others were active from the Lewes to Kintyre; others from the Borders to Peebles, Hawick, and Biggar. Where there happened to be no great feud, involving every family of the gentry, the minor lairds were fighting among themselves. There were constant sieges and burnings of houses, from the great castle to the little peel tower. Gentlemen who could not easily come at each other in the country, where every man of note rode with a company of steel-clad horsemen, would meet in Edinburgh, in silks and satins, and fight it out with swords and pistols, or simply assassinate each other without warning. Long after Douglas of Parkhead speared Captain James Stewart in the lonely vale of Catslack, he was himself stabbed in the back, near the Cross of Edinburgh, by a Stewart of Arran's kin (July 1608). This was a scene in the long vendetta of Lord Ochiltree against the house of Torthorwald, Parkhead having married an heiress of the Carlyles, and so obtained the Torthorwald title.

In the volume of the "Privy Council Register" for 1613, ten years after James ascended the throne of England, we have a list of running feuds. There are forty-two feuds, exclusive of the Highlands and Islands, and these are not feuds of the sweeping character of Huntly *versus* Argyll, or Stewart *versus* Hamilton. For example, we have a feud between Ker of Yair, on Tweed below Elibank, and the small but warlike burgh of Selkirk. From Selkirk to the pleasant house of Yair is about three miles across

the hills, and the common land of the burgh "marches" with Yair (the author conceives) on the Linglee. The provost and burgesses yearly "rode their marches" in a festive manner, as they still do, but Andrew Ker, thinking that they trespassed on his heather, planned to lie in wait for the citizens, "where upon some inconvenients will not fail to fall out," as the Privy Council observed (1613). The Council tried to smooth matters down, vainly. The people of Selkirk had, and probably have a common herdsman to look after the kye of the burgesses on the common, as the citizens of Glasgow also used at this period. This herdsman, and several citizens, *vi et armis* took 300 cattle, and pastured them on the lands of Yair. The usual repartee was to hough the cattle, but Ker of Yair does not seem to have adopted this course.

The provost of Selkirk was not a man of mild measures. In August 1613 he was Scott of Haining, the estate lying just outside the town. He was "kinsman of the bold Buccleuch," and his deputy on the Border at the time of Kinmont Willie. This gentleman arrested a woman and her son, from Leith, on suspicion of stealing cheese, and tortured them with cords, "for moving of them to confess the truth." Haining was let off for this outrage on paying a small fine. The burghs at this time preferred to elect country gentlemen as their provosts, to secure leadership in private war, and the backing of a clan. The Yair and Selkirk feud was a branch of the old Scott and Ker feud, and thus things were so arranged that simple burgesses had their share of the universal fighting, beyond what they could get by merely "whingering" each other in the market-place, as in the case of Provost Dickson of Peebles. We even find a "sometime minister" entering a house in full armour, and beginning to shoot with pistol and musket. There were feuds within clans, as of Ker of Grange and Ker of Ancrum. In Galloway matters passed busily, Gordon of Lochinvar having a feud with Kennedy of Bargany and Vaus of Longcastle. Even in civilised Fife, the focus of godliness, Lundie of Lundie was at war with Wood of Largo.

A feud which was remarked on, even at that time, as exemplary, was the Auchendrane affair. In 1597 John Mure of Auchendrane, in Ayrshire, was a gentleman much looked up to in the district for the fairness and sagacity of his judicial decisions as bailie of Carrick. He had married a daughter of Kennedy of Bargany, who was on ill terms with Kennedy of Colzean. Auchendrane was also dissatisfied

with Colzean, and so was the Master of Kennedy, brother of Lord Cassilis, the head of the Kennedys. Auchendrane, the Master, and the Laird of Dunduff, therefore, made up their minds to have the blood of Colzean. We need not enter into the merits of the quarrel. On New Year's day, 1597, Colzean was to dine, in the town of Maybole, with Sir Thomas Nisbet, and was to sleep in his own lodgings. Knowing this, Auchendrane with a party of friends hid among the trees in Nisbet's garden, and, when Colzean was walking through to his rooms, they fired a volley at him, missed him, hunted him vainly, and attacked his lodgings. Colzean, therefore, took proceedings against Auchendrane with such vigour that he was alarmed, made peace, and married his eldest son to Colzean's daughter. Before this, however, Colzean had wrecked Auchendrane's house and garden, which, it is to be feared, rankled in his mind.

In May 1602 Colzean was going to Edinburgh on legal business. Anxious to oblige, he sent a retainer to Auchendrane, asking the laird to meet him, if he had any affairs which Colzean could transact for him in the capital. If so, the laird would find him next day at Duppie, near Ayr. The servant missed the laird, who was absent from home. He therefore asked Mr Robert Mure, the schoolmaster at Maybole, to write the message in a letter to the laird. Mure complied, and sent the letter by a schoolboy, William Dalrymple. The laird was found with Mure of Cloncaird, and on reading the letter he bade the boy carry it back and say that he had not found Auchendrane at his house. He and Cloncaird then summoned a few friends of the right sort, lay in wait where Colzean was to pass (as he had informed Auchendrane), and found him riding with only one servant. They slew Colzean with swords and pistols, and took 1000 merks in gold, his gold buttons, and the rings which he wore.

This incident was only part of a very flourishing feud, in which Auchendrane induced young Kennedy of Bargany to try to destroy the house of Cassilis, of which he was the senior cadet. Bargany, consequently, had ridden past Cassilis's gate without making a call. The Earl, "resolving to die rather than digest that public indignity," assembled two or three hundred of his friends in arms. Bargany also raised a force, and attacked Cassilis, whose men lay in cover, their front protected by ditches. In attempting a charge, poor young Bargany was shot, and Auchendrane, advancing with great

intrepidity, was severely wounded. It is believed that his failure after this to shoot the Earl of Cassilis irritated him, and induced him to murder Colzean, as has already been narrated. His retainers, who took part in that exploit, were outlawed, but the laird boldly offered himself for trial. Evidence was lacking, and Auchendrane's offer of trial by combat was not taken up by any of the kinsmen of Colzean. But a dangerous witness was Dalrymple, the schoolboy who had carried Colzean's letter informing Auchendrane that he was to be at the place where the laird murdered and robbed him. Young Colzean was known to be interrogating this lad, whom Auchendrane therefore first immured, and then sent to Arran, afterwards packing him off to fight under Buccleuch's colours in the Low Countries. Six years later "the eye of God conveyed Dalrymple back to Ayr." The laird then bade one Bannatyne bring Dalrymple to him, at night, on the sands of Girvan, where young Auchendrane strangled the lad, and tried to bury him in the sands. The water frustrating this purpose they threw the corpse into the sea, whence, a few days later, it was cast up on shore and recognised.

As this darkling and cruel murder, if brought home to the Auchendranes, was of a type reckoned discreditable, the Auchendranes were advised by friends to commit some ordinary crime, and fly the country on the strength of that misdeed. "It was fitter they should kill Hew Kennedy of Garrishorn" (a retainer of Cassilis), "for divers probable quarrels which they had against him." This was the advice of a cousin, and Auchendrane recognised that it was both kindly meant and, in effect, judicious. Any trouble caused by the murder of Hew was such as their kindred could sympathise with, openly abetting and sheltering them. The Auchendranes, therefore, armed themselves with sword and pistol, and, finding Hew alone, attacked him. However, Hew nearly cut off young Auchendrane's hand, and was victor in the engagement. The wisdom of the king now gave Lord Abercorn a commission to apprehend old Auchendrane, who shipped Bannatyne, the witness to the Dalrymple murder, off to Ireland. He then went boldly to his trial, but failed under examination. James now ordered torture to be applied to young Auchendrane, who, with extraordinary fortitude, was silent. Public opinion, naturally, was now favourable to young Auchendrane. After all, on the worst view, he had done nothing, it was said, to harm "the person or estate of the king." He ought

to be released on heavy bail. But, though the Privy Council pled for this, Dunfermline, backed by the king, was firm, and kept the accused in prison by sheer use of the royal prerogative. The king "may retain in ward any of his subjects, who in his conscience he knows deserves the same."

Meanwhile Abercorn in Ireland caught Bannatyne, the witness in the Dalrymple case, but, on a point of honour, let him go. But Bannatyne knew that old Auchendrane had been trying to get him murdered in Ireland, so he came in and confessed. Both Auchendranes, confronted with Bannatyne, maintained their innocence. A trial was now resolved on, and the general public maintained that Bannatyne ought first to be tried alone. If convicted, and if he confessed and clave to his confession on the scaffold, "that might put them in some opinion of Auchendrane's guiltiness." For similar exquisite reasons Mr Bruce, the famous preacher, wished James to hang Henderson, the witness in the Gowrie case. But this logic was faulty; on the scaffold George Sprot maintained his confession as to the Gowrie conspiracy, without converting a single sceptic.* On July 17, 1611, the three "panels" were tried, convicted, and executed. They were undeniably guilty, but, setting Bannatyne aside, the evidence (the depositions are lost) was circumstantial, and the long detention and torture of young Auchendrane, with some informalities in the trial, increased public sympathy for these typical old Scottish malefactors.

It is never easy to be certain as to the rights and wrongs in family bickerings, like these discords among the Mures and Kennedys. No doubt there was something to be said on both sides in a quarrel which goes as far back as the roasting alive of the Commendator of Crossraguel by an Earl of Cassilis, soon after the Reformation. The Earl had, before Colzean's murder, been on bad terms with his brother, who was a friend of the murderer Auchendrane. In September 1602, however, the noble brothers were reconciled on the following basis:—The Earl was to give his kinsman and his accomplices a yearly pension of 1200 marks, "good and thankful payment," as soon as he takes Auchendrane's life, "beginning the first payment immediately after their committing of the said deed.

And hereto we oblige us, upon our honour."[1]

These things were done in a region which, from the dawn of the Reformation, had been peculiarly enlightened, having profited by

* See Appendix, "Gowrie and Restalrig."

the ministrations of the martyr, George Wishart. The clergy, however, appear to have been on the side of Auchendrane. In February 1604 Lady Colzean, widow of Auchendrane's victim, "pursued the Presbytery of Ayr for not observing the order kept by themselves and all other Presbyteries against notorious malefactors." The Presbytery made an exception in favour of her husband's murderers, "against whom they have neither used censures nor admonitions, but refuses to do the same." The Council ordered the Presbytery to excommunicate the murderers, a sensible outrage on the freedom of the Kirk.[2] This Lady Colzean had been the divorced wife of Logan of Restalrig, the laird connected with the Gowrie conspiracy: she did not find the west of Scotland a more peaceful and friendly place than the east.

Among the most usual causes and consequences of feuds was the destruction of the crops and the houghing of the cattle of persons occupying lands to which other persons had, or pretended, a claim. A laird or yeoman would collect his friends in arms, make a raid on a neighbouring estate, injure the cattle, thrash out the corn, or trample down the growing crops, and drag the women about by the hair of the head, pistolling or stabbing all who made resistance. Cases of this kind occur in scores. Home of Rentoun was mixed up in the affairs of Logan of Restalrig, and appears to have been one of those who acquired forged documents from Sprot, the Eyemouth notary, implicating Logan in the Gowrie affair. These were to be used to terrorise Logan's executors after the laird's death in 1606. The children of Logan, though his heirs were forfeited in 1609, seem to have pretended some rights over "the tithe sheaves and other tithes of Horndene," which, after the forfeiture of Logan's heirs (1609), had been granted by the Crown to Alexander Home of Rentoun, a cousin of the Earl of Dunbar.[3] Consequently, in August and September 1616, Alexander Logan, son of the late Restalrig, "armed with sword and dagger, and two pistols on his person, and a hagbut" (musket) "in his hand, went to the barnyard of Horndene, violently caused a large quantity of corn to be threshed which had been lawfully arrested by the plaintiff, and placed there till the sums due to the plaintiff had been paid, and caused the said corn to be carried by night to Norham, and other places in England, to be disposed of there at his pleasure." Moreover, Alexander Logan was backed by one of the Chirnsides, old allies of the wicked laird, by a retainer of the Earl of Home (his uncle), and others, to

the number of forty. "All armed with swords, gauntlets, forks, lances, etc., and carrying pistols and hagbuts, they went to the lands of Horndene, and violently collected the teind sheaves thereof." The plaintiff, Rentoun, sent William Lindsay (an official messenger), and his own retainer, William Home, to execute a legal summons against Alexander Logan, but he crossed the Tweed into England, and sent back Chirnside and another to search for and slay William Home. The defenders did not appear, and were ordered to enter themselves at the prison of the Tolbooth. Probably they did not accept this invitation, and the tradition of the Logan family is that their ancestor settled in England till these affairs were forgotten.[4]

This typical instance of what was always going on may be interesting as an example of hereditary lawlessness. Alexander Logan *chassa de race*. But even preachers were not exempt from human frailties. On the page of the "Register of the Privy Council," which tells of the feats of Alexander Logan, we read that the Reverend Mr Thomas Moir, minister of Morebattle, invaded the lands of Toft, armed with a pitchfork, and attacked Andrew Ker and George Pott. He wounded Pott in the face, and cast a cartload of corn into the river. Ker was the son of Sir John Ker, and Mr Moir challenged him to single combat, which Ker refused, "not through fear, but through reverence of the law," and no doubt of the cloth. Mr Moir then took to him other devils, worse than himself, including a William Logan, to the number of twenty, all armed; they went to the barn of Cowbog, stole corn, and nearly killed Wattie Pott, who attempted to resist them. This was the plaintiff's version, but Mr Moir said that the case was the reverse, several persons, under Andrew Ker, invaded *him*, threw him down, and jumped on him. This was on September 3, 1616, the day before Mr Moir's alleged raid of Cowbog. The lords appear to have let both parties off, and one gathers that there were faults on both sides. On the whole, neither the preaching of the word nor the king's forty mounted police had made Scotland a peaceable, orderly country. Violence was the rule rather than the exception, to judge by the number of cases recorded even in counties like Ayrshire, Berwick, and Roxburgh.

The craftsmen, in towns, occasionally mutinied against the magistrates. In Stirling (1616) the bailies described the craftsmen as "seditious, restless busybodies, bound in a factious and mutinous society." They usually held "indignation meetings" every Monday,

and set down acts and statutes of their own, tampering with the lawful weight of bread, and banding together to refuse to pay the stipends of the minister and the schoolmaster. Education and religion they regarded as luxuries for which they declined to be taxed. No decision of the Town Council was accepted by the Monday meetings upon the hills; a man was a man for a' that, and why should he obey the bailies? They actually proposed to carry the king's standard at the wapinschaw instead of their own; they rioted in arms, opened the gaol and let loose the prisoners, and generally proved that the democratic doctrines of the Scots are not (as has been vainly alleged) an invention of Robert Burns.[5]

In the matter of private morals the Kirk, where she was strong, as in Fife, did her best. The Kirk-Session of St Andrews has bequeathed to the ages a Register, edited by Dr Hay Fleming. Hence we gather that some stubborn souls would persistently make merry at Christmas, "keeping great Yules," as was the habit of the truly unregenerate Laird of Restalrig. On Trinity Sunday, too, the populace danced and piped, at least at Raderny. They were cut off from baptism, and holy communion, and marriage till they made satisfaction; but marriage was a "benefit of the Kirk," which too many parishioners were more than content to do without. They were more easily tamed by being shut up in the kirk steeple, where witches were often incarcerated. "Sins of uncleanness," says Dr Hay Fleming, "were still fearfully prevalent." The unclean used to be let off with a 40s. fine, but Mr Black (famous as the occasion of the Edinburgh riot of 1596) was much more severe. The swain, for his first offence, had to pay £40 (Scots) to the poor, "or eight days." For the second, his fine was much increased, and his head was shaved, rendering him "not one to be desired" by the sex. For the third he was still more heavily fined, ducked thrice (the sea being convenient), and banished. An offender against the seventh commandment was pilloried, the students and populace, stern moralists, pelted him with rotten eggs, and he was well ducked. He had also to do penance at the kirk door, barefooted and in sackcloth, and go to catechism, "till the Kirk be satisfied." During the next three years only five adulterers offended, or were caught, at all events. During Mr Black's last year there was not a single case of lawless love "before the Session." But, by 1599, the brethren found that "the syn of fornicatioun and huredom did grytlie incres." Indeed, the staple of the Register is lawless affection

and Sabbath-breaking. Nobody was allowed to be seen out of kirk "in tyme of sermone," and the thirsty had to walk to Leuchars (five or six miles) and tipple there. The popular idea of a holiday is to go and get drunk somewhere else. Mr Black, be it observed, was rather an extreme disciplinarian, and publicly remarked that "a great part" of the ministers "was worthie to be hangit." After his removal Calderwood said (about 1613) that he himself saw more people skating, curling, and sliding, at all events "amusing themselves on the ice," than in church on a Sunday. Dr Hay Fleming shows that Calderwood must have been unfortunate.

In 1746 the Chevalier Johnstone found that the seed sown by the exemplary Mr Black had borne fruits of righteousness. The chevalier was escaping from Culloden, but could not induce any one to let him hire a horse on Sunday. They say grace before they take a pinch of snuff, he says, and he regards St Andrews as a great deal worse than Sodom and Gomorrah, being a nest of sanctimonious hypocrites. The chevalier was a Jacobite, and much depends upon the point of view. According to Dr Hay Fleming, and we cannot have a better guide, the Kirk-Sessions did not wait, in cases of ungodly speaking, kissing and wrestling in the streets, cards and dice, manslaughter, witchcraft, and so on, till a public slander arose. Literally "from pitch and toss to manslaughter" the Sessions dealt with all enormities. "Not only was it the duty of the elders and deacons to report transgressions, but special steps were taken to ferret out gross sins that they might be repressed." The elders would seem to have been Peeping Toms.

Of witchcraft we have elsewhere spoken. The fear of witches seems to have been a curious epidemic, raging now here, now there for a time, and then abating. Geneva exceeded in witch-burning before the Reformation, but the sixteenth and early seventeenth centuries were the most furious in this absurdity. In Scotland we hear very little of witch-burning before the Reformation, indeed, before the time of Regent Murray. In England the Puritans encouraged and Bancroft mocked at these practices, which were much stimulated by the precept and example of James VI. As a rule, charges of witchcraft rested on the belief in the evil eye, and on the assertions of young people suffering from hysterical disorders. But the witches probably believed in their own powers, and practised folk-medicine aided by popular charms in rhyme, derived from the old faith. They also worked by "sympathetic magic,"

they told fortunes, dealt in curses, and, under torture, repeated, in Germany as in Scotland, folk-tales about fairy-land and the Fairy Queen, or about the devil. Hysterical diseases are still inexplicable enough, the belief in the evil eye still flourishes, folk-medicine and charms are still in use, isolated cases of second sight occur, and all the elements of witchcraft live on in Scotland as in England. Only the law, fortunately, has been altered, much to the regret of John Wesley at the time. The old law applied to Bothwell (Francis Stewart) was the occasion of his extraordinary career of rebellion; and it lent colour, or was intended to lend colour, to the charges against the young Earl of Gowrie. He carried a written talisman which came into the hands of that Lord Cromarty who was still alive in 1713. Similar talismans, found in an old house, have lately been exhibited to the author. Belief in the efficacy of such things was very common on the Continent as well as in Scotland, as common as among the Greeks settled in Egypt, with their magical papyri.

While everything joyous that could be called a rag of Popery was put down, it is curious to find that the observance of Lent, as far as abstinence from flesh is concerned, was enforced. This was not for religious, but for supposed sanitary reasons. "Seeing that, in the spring, all kinds of flesh decays and grows out of season, and that it is convenient for the commonwealth that they be spared during that time, to the end that they be more plenteous and cheaper during the rest of the year," butchers and others were forbidden to slaughter in Lent. This was a standing Order of Council, and was intended not only for the benefit of the "bestial," but to encourage the fishing trade. Perhaps Lent originally arose before Christianity, in the opinion that meat is out of season in spring, and was merely adopted and sanctified by the early Church, like many of her other feasts and fasts. We have not observed that the preachers raised their voices against Lent as a survival of Popery. That sanitary conditions were not good may be inferred from the edicts against keeping swine in the basements of houses in Edinburgh, and against piling up dunghills and heaps of refuse in the streets. Dunbar, long before, and Smollett long afterwards, satirised the abundant filthiness of Edinburgh. When plague appeared, as it often did, infected families in the capital were obliged to go and camp on the Burgh Moor. "Every one," says a contemporary, "is become so detestable to every other, and specially the poor in the sight of the rich, as if

they were not equal with them, touching their creation." In 1584 the plague appeared in Perth; in May it reached Edinburgh; the king flying from it to what had been Gowrie's Castle of Dirleton, near North Berwick, then possessed by that Arran (Captain James Stewart) who was the instrument of the death and forfeiture of Gowrie. All fled who could; some 1400 died, says the diarist, Birrel. There is a blank in the St Andrews Register for nearly a year, "all gude ordour ceasit in this citee." The evil was attributed to the banishment of the Presbyterian leaders, with the Lords of the Raid of Ruthven, and it ceased as soon as they returned, in November 1585, at the raid of Stirling. Winter weather perhaps depressed the plague germs, and Presbyterianism triumphant may not have been the cause of the improvement. The returned nobles rode through a town almost untenanted; then Border ruffians robbed the very pest houses, but were no whit the worse. Returning from banishment with the Ruthven Lords, James Melville breakfasted at Restalrig (Logan being a Gowrie man, and hospitable), and entered Edinburgh. Riding in at the Water Gate, through the High Street, and out at the West Port, "in all that way we saw not three persons, so that I *miskenned* Edinburgh, and almost forgot that I had ever seen such a town." The survivors had fled to lonely country places; like Bessy Bell and Marion Gray in the ballad—

They bigit a bower on yon burn-side,
And theikit it ower wi' rashes.

The absence of statistics makes it impossible to conjecture the extent of the injury done by the plague or pest, by other epidemic diseases, and by the perpetual murders and manslaughters, to the population of the country. It was an age of large families; the losses of pest and war were soon recovered. Scotland had more population than means of employing her children. They bore arms for most of the European powers, the Continent was crowded with our Dalgettys. Not content

"To fecht the foreign loons in their ain countrie,"

they also fought each other on alien shores. In the Gowrie tragedy we find mention of a Captain Ruthven, who carried to Lady Gowrie, from the Earl's hunting quarters in Atholl, the news that he "was to come." Captain Ruthven is mentioned only on this one occasion in the proceedings, but, on June 20, 1600, seven weeks before the slaughter of the Ruthvens, we find that he had

been brawling abroad with his own countrymen. One William Little described to the Privy Council a skirmish which he had viewed at Dantzic, "the sun shining on a fair day." Two Scots, Greir and Bain, were "playing at the cables" near the harbour, when Bain gave the lie to Greir, and Greir "gave Bain a cuff." Captain Ruthven took the side of Bain, and Captain Maxwell avowed himself the partisan of Greir, whom Bain stabbed from behind. Ruthven declared that the stroke was fair (though that was not the opinion of William Little), and he would "defend his opinion as a soldier." Captain Maxwell thereon borrowed a sword from one Cunningham, and approached Ruthven, saying "thou shalt have one." Ruthven lunged thrice at Maxwell, and said, "Thou hast enough." Maxwell answered, "Not so much as you think"; the point, perhaps, had merely grazed his ribs. Ruthven struck again, Maxwell riposted, and Ruthven, who was wearing "mules," or thin shoes, fell. Maxwell made as if to strike him where he lay, when "a little Highlandman," Duff, smote Maxwell from behind, crying to Ruthven, "Rise up, master, for he has enough." This combat was at "the Douglas Port," which seems to imply that there was a Scottish quarter in Dantzic. The end was that a corporal, Wallace, came with a halbert and protected Maxwell. The other witnesses were all burgesses of Edinburgh, except Crawford, servant to a famous rich burgess named Macmorran. Except Greir, nobody is said to have been killed, nor do we find that any measures were taken against Ruthven, who seems to have returned to Scotland, and appears, for a moment, in connection with the Gowrie tragedy.[6]

The religious persecutions drove a Puritan, like Andrew Melville, to Sedan, and many Catholics to the foreign universities. The trading Scots formed communities of their own as far off as Poland keeping up their religion, and organising themselves under their own bye-laws. They were not more popular in Poland than the Jews. We hear little of wider range of adventure to "the Indies" or America. Logan of Restalrig, after the Gowrie collapse, took a share, with Lord Willoughby, in a ship that was to sail to "the Indies," with the laird as skipper, but he never set out, and we do not know how the venture fared: the death of Lord Willoughby (1601) may have put an end to the project.[7] At home the prices of articles of utility were regulated by the magistrates or the Privy Council. Boots and shoes were declared to be far too dear, and the price was lowered. The Lothian coal-owners held a meeting

and raised the price of coal; the Council put it down again. The exportation of coal was usually prohibited, but the king would grant a privilege of exportation to a favourite. The bonnet-makers of Edinburgh and the Canongate quarrelled over their respective rights, but foreigners who could teach improvements in cloth-making were entertained at the expense of the country. Foreigners, also, took the lead in silver- and lead-mining. There was gold-mining in Meggatdale, in the Glengaber Burn, which flows into Meggat Water on the left hand. Gold is still found in that burn, but not in remunerative quantities. The author has reason to believe that gold is not the only mineral treasure of Glengaber. Hilderston, in Linlithgowshire, was a centre of silver-mining, and Thomas Foulis was busy with processes for converting lead ore into litharge, white and red lead, and ceruse. He was a goldsmith, which usually involved being a banker, in Edinburgh. The export of eggs was denounced as "most unlawful and pernicious," and the invention of curing red herring led to a good deal of litigation. The sale of tobacco was prohibited, "a weed so infective as all young and idle persons are in a manner bewitched therewith, the taking whereof being a special motive to their often meetings in taverns and alehouses" (May 22, 1616). But this prohibition merely led to a monopoly granted to a Captain Murray.

As to coinage, fraudulent "hard heads" were a standing grievance. Huntly offered James £40,000 for the privilege of coining 10,000 stone of copper, but this kind of and amount of "Wood's half-pence" was judged to be too colossal an experiment. Foreign gold coin was decried and ordered to be brought into the mint (1613). Among foreign coins in circulation were "the auld Rose noble, the Harry noble, the Portugal ducat, and the French Harry ducat"; of native coin we hear about "the queen's portrait with the naked craig" (Mary Stuart in a low dress), and "his majestie's ducat with the bair heade." The relative value of the money of the age to the money of to-day is a topic too minute and difficult. Dr Masson concludes that a sum of Scots money can be brought to the *contemporary* English level if divided by twelve. The Earl of Orkney, in prison, had an allowance of £4 Scots *per diem;* in England this would have been six shillings and eightpence. Logan of Restalrig gave Sprot £12 as an instalment of hush money. That was £1 English, and Logan said that it would buy two "bolls" of corn.[8] Dr Masson thinks that any sum then could

purchase at least four times as much in commodities as at present. Huntly's rental, *in money*, was £3000 Scots, equivalent, in purchasing power, to £1000 sterling at present on this calculation.[9] His "ferm victual" was about 4000 bolls, two bolls being, on Restalrig's theory, worth £1 English, and if the pound had four times the present purchasing value, Huntly's rents in kind greatly exceeded his rental in specie, while he got 3231 "kane hens," and vast quantities of other produce. In 1602 he was able to build a magnificent new house at Strathbogie.[10]

With all their comparative wealth in produce the nobles were very poor in money, hence the facility with which they were bought and bribed on every hand, and hence their greed for monopolies and English places. Hence, too, from the lack of bullion, arose the system of commercial taboos intended "to keep money in the country." "To import a commodity, unless by exchange for some native commodity" (such as red herrings), "meant to export gold and silver for purchase of the import, and, as wealth consisted in the possession of gold and silver, this was always a damage to the commonwealth." On the other hand, the exportation of native commodities—coal, corn, pig-iron, and so forth—was often under taboo, and an economic authority informs the world that "pig-iron is the test of a nation's progress." If you may not export your staple commodities (for that raises their price at home), nor purchase imports with bullion (for that sends money out of the country), it seems as if you could scarcely have any commerce at all, and as if trade must have been pure smuggling. The preachers added a taboo of their own against dealing with idolaters, like the Spaniards, but the trading classes disregarded the pious restriction.

The leather trade (which Mr Robert Louis Stevenson describes as peculiarly precarious) passed through a crisis in 1617-1622. The shoemakers complained of the execrable quality of Scottish leather, and the tanners admitted that their leather, in truth, was very bad. A committee decided that "the country was very far abused in the barking of their hides," but the Town Council of Edinburgh urged that the Privy Council had no right to bring in alien tanners to teach Scotland how to tan. That was matter for the king and Parliament. However, eight tanners were fetched, and Lord Erskine, son of the Earl of Mar, obtained a patent in the leather trade, and furnished the capital. Naturally the English

tutors in tanning (seventeen in number) did not lead happy lives, and now the boot and shoemakers resisted the very reform for which they had clamoured. They raised the prices of boots and shoes inordinately, which is perhaps the reason why the less opulent classes only wore shoes on Sundays. Such was the crisis in the leather trade.[11]

It will surprise no one to hear that what soap was used in Scotland was foreign soap, and that bad, probably adulterated, so that foreigners "cannot abide the smell of the napery and linen clothes washed with this filthy soap." A Mr Udward obtained a patent for soap-making, to the prejudice of the Flemish article. The king is also said to have put a prohibitive tariff on Dutch golf-balls, greatly to the benefit of the native manufacturer. If the author may hazard a conjecture, it is that the golf-balls of the period (like those used at the *jeu de mail*) were made of wood. Lord Caithness describes the cannon-balls at the siege of Kirkwall as breaking in two, "like golf-balls." Now a feather golf-ball, such as was used in the eighteenth and early nineteenth centuries, cannot break into two fragments, as a gutta-percha or a wooden golf-ball does. Hence we may infer that the golf-balls of King James's reign were wooden. Glass-making and sugar-refining, as well as cloth-making, tanning, and soap-boiling, were all improved, and were subjects of careful attention to the king and Council. A machine for transporting coal from the pit-mouth was invented, a kind of tram perhaps. English beer was introduced (and adulterated), and native beer improved, to lessen the demand for foreign wines. The local single ale cost a penny (English) the pint (the Scots pint), containing about three English pints or more. The best native double ale was the "tippenny," or two shillings Scots, and one of the grievances of the saints in the Bass, under Charles II., was that they had "to pay at a sixpenny rate for a pint o' the tippenny yill." The Celts, of course, already got drunk on whisky and *eau de vie*.

Imports, naturally, were "nearly ten times as numerous as exports." Arrows, baskets, beads, beer, bows, bricks, brushes, carpets, caviare, chairs, chessmen, chests, cloth, combs, dolls, drugs, ivory, furs, garters, gloves, glue, groceries, jew's-harps, muskets, pistols, silk, spectacles, surgical instruments, swords, tin, tobacco, thimbles, vinegar, viols, virginals, and wines (French, Rhenish, Levantine, and Spanish), were among the imports. How they were paid for is a mystery of political economy; for the most

part, perhaps, in red herrings. There was not always and universally a taboo on exporting coal, corn, and other commodities. Salmon was a staple; and, in short, though we can scarcely tell how, Scotland obtained her imports. Probably the laws were defied or evaded. At this period, judging by the case of Stirling and of Perth, where the town sent out 800 men to resist depredations by Lord Scone, and by various accounts of the troubles in Edinburgh, the craftsmen were numerous, well-to-do, and turbulent on occasion. The tillers of the ground not only suffered from the raids and feuds, but, as a rule, were subject to summary eviction, and held their crofts for brief periods on precarious tenure. We have elsewhere given examples to prove this, and the preachers constantly insisted on the merciless oppressions of the lairds.

The class of farmers called "kindly" or "native" tenants had tenures less uncertain, and enjoyed recognised rights which they could sometimes be persuaded to part with for various considerations. After the Gowrie affair, when Logan of Restalrig took to selling his lands (to avoid forfeiture, as was believed), he "came to Edinburgh for redemption of the lands of Flemington from the goodwife of Peilwalls." Lady Restalrig (Logan's wife) said, "This is but vain labour, for I am sure if it were in the laird's hands it would not bide long unsold." "And Bower" (alleged to have been Logan's go-between with Gowrie) "said to the laird, as we thought by way of pretence, 'It were better, sir, that you should let the honest folk brook their land, and take the old offer that they offered you long ago, than to wreck them and remove them, *for they are native tenants.*'" This is a statement of Sprot, the fraudulent notary, who forged the plot-letters of Logan: the passage is in the Haddington MSS. The goodwife of Peilwalls, as a kindly or native tenant, had a tenant right over part of the lands of Flemington, which Logan wished to clear off before selling the estate. According to Sprot, he made that ingenious man forge a document to further his purpose. The facts illustrate the relatively secure position of tenants, kindly or "native," who, of course, were no longer the *nativi*, or serfs, of our earlier history.

How rich ladies lived we learn from a curious and then popular play, "Philotus" (1603). One publisher, dying at about this time (1600-1610), had 500 copies of "Philotus" in stock. The piece turns on the desire of a rich old man to wed a pretty girl. He sends a woman to point out the advantages of the match. Every day shall be comfortable.

Your fire shall first be burning clear,
Your maidens then shall have your gear
Put in good order and effeir,
Each morning ere you rise.

And say, lo, Mistress, here your mules,
Put on your petticoat or it cools,
Lo, here one of your velvet stools
Whereon you shall sit down.

Then two shall come to comb your hair,
Put on your headgear soft and fair,
Take there your glass, see all be clear,
And so goes on your gown.

Then take to staunch the morning drouth,
A cup of Malmsey for your mouth,
For fume cast sugar in at fouth,
Together with a toast.

Three garden gulps take of the air,
And bid your page in haste prepare
For your disjune some dainty fair,
And care not for no cost.

A pair of plovers piping het,
A partridge and a quaily get,
A cup of sack, sweet and well set,
May for a breakfast gain.

Your cater he may care for syne
Some delicate against ye dine,
Your cook to season all so fine,
Then does employ his pain.

So the day goes on, with eating, drinking, dressing, music, and for exercise, walking up and down a green alley: the last collation is taken with Rhenish wine,

For it is cold and clean.

Velvet hats, gold embroideries, hoods of state, are dwelt on, and

Your mask when ye shall gang to gait
From sun and wind, early and late,
To keep that face so fair,

a precaution common even in the eighteenth century. Chains of Paris work, carcanets, velvet, silk, satin, damascene, are all offered, velvet shoon, silken stockings, "all your fingers full of rings, with pearls and precious stones."

Sweet heart, what further would you have?

The lady very briefly replies in the spirit of the song,

What should a young lassie do wi' an auld man?

Beyond this point her remarks are too candid and explicit for reproduction by a writer of the opposite sex.[12] The play has little merit beyond that of nimble rhyme, and is founded on a novel by Barnaby Rich.

What did people read in these days? We have the reply to this question in the wills of several Edinburgh printers and publishers. These documents contain lists of the persons who were in debt to their booksellers. They are chiefly college men and ministers. We find both Andrew and James Melville, Mr Peter Hewat and Mr Charles Lumsden (who heard Sprot's confessions as to the forged Logan letters); we find Lady Gowrie, who owed £16 : 4 : 8 to Edward Cathkin, in 1601; and we find her future son-in-law, young Tullibardine, whom she detested because he was in Perth on the fatal fifth of August, when her sons were slain. Scarcely any lairds appear to have been book-buyers, no nobles are in the lists, and, except Lady Gowrie, only one lady, Helen Rutherford. The king, however, is on the lists, and perhaps the gentry usually paid ready money; if not, they were not book-buyers, though tradesmen and the clergy patronised literature. Two curious facts are demonstrated, "the very large impressions of books then printed," and "the way in which these copies have almost wholly disappeared." Setting aside Bibles and psalm books and school books, we find that Bassandyne had 510 copies of Sir David Lindsay's poems, while the romance of "Grey Steil" existed in large numbers. Among the most popular books were Sir David Lindsay's Poems, Blind Harry's "Wallace," Henryson's "Testament of Cressid," Rollock's Sermons, "Valentine and Orson," "Guy of Warrick," "The Palace of Pleasure," Sir Thomas Elyot's "Governour," "Gargantua," Sir John Mandeville, "Squire Meldrum," "Bevis of Hampton," "Winter Nights"; the rest are, for the most part, theological books and editions of the Latin classics. "Philotus" appears to be the only contemporary work in verse which had a considerable sale. One does not observe a "Faery Queen," or any of the books of the great Elizabethan poets. On the whole, though considerable numbers of books were bought, literature in Scotland must have been a starveling trade early in the seventeenth century. The Greek classics, too, scarcely appear in the booksellers' lists.

To give a complete account of the universities is not possible in this place. The King's College of Edinburgh made up the number to four—St Andrews, Glasgow, Aberdeen, Edinburgh. There were frequent visitations of St Andrews by royal commissions. The place, freely robbed at the Reformation, and unsettled by many years of turmoil, could not be in a satisfactory condition. The University had but three colleges, St Salvator's, St Leonard's, and St Mary's, of which Andrew Melville was Principal, assisted by his nephew James. The commissioners of April 1588 were addressed in this colloquial style of royal impatience, "It is most difficult in this confused time, when all folks are looking to the weltering of the world, to effectuate any good common work . . . and specially where ye are not certainly instructed, and has no great hope of thanks for your travail; however, seeing things are so far proceeded, do something, for God's sake! . . . . I have mair writing concerning thir materis of the Collegis nor I wald get red my selff this XV dayes, albeit I had little other thing ado," goes on King James. It is not the author's intention to inflict on himself or the reader the information which was too much for King James. Knowing St Andrews fairly well, the king says to his commissioners, "Forbid thair quarrelling . . . Albeit it is not forbid that they flyte (scold) yet forbid fechting, or bearing of daggis (pistols) or swerdis, sending of cartels, or setting up of pasquils."

The commissioners found that the bursar of the New College "hes maid na compt," and that all the finance was disorderly. Of five Masters of Arts who should have lectured, only three were busy, the other two, not receiving any salaries, "refused to come." Andrew Melville lectured daily on the Psalms in Hebrew, from five to six in the morning, Mr John Robertson dealt with the New Testament in Greek. Patrick Melville lectured in Ecclesiastes. A Mr Robert Hamilton had dilapidated (or embezzled) the scholarship founded by the Laird of Moncrief. (The Scots name is "bursarship," not scholarship, and a bursar is not a bursar in the Oxford sense, but a scholar.) At St Salvator's the Provost treated the finances with a free hand, and gave in no accounts. The Provost affirmed that he lectured; the ministers declared that he did not lecture once a month. Mr Wellwood averred that *he* lectured, the Provost said that he lied. The plague had scattered Mr Cranstoun's class, so he taught grammar to the Earl of Cassilis, he who made the murderband against Mure of Auchendrane. The physics of Aristotle were lectured on daily in

Greek; the first class read Isocrates, Aristotle, and Homer. At St Leonard's abundance of Aristotle, including the Ethics, was read, in Greek, one hopes. The lecturers disliked teaching grammar; everywhere they wished to begin with a form, or class, and conduct it through the whole course, whereas the law insisted on yearly change of masters.

Further examination at St Mary's, or "the New College," proved that the bursar had a receipt for his accounts, which he was said not to have presented. It was signed by James Melville and another, Andrew being absent through troubles with the king. But as to the receipt, James Melville said that "they were forced to give it, or otherwise the house would have been *skaillit*," or dispersed. At St Salvator's some of the financial documents were lost, and others were buried "in ane kist under the erth, and lang thairefter found be chance, bot that the evidentis" (the documents) "was altogidder consumed thairin." The number and complexity of quarrels in St Salvator's (where the Provost declined to recognise the lecturers in law and mathematics) were beyond belief. Scholars were elected without examination. The Provost averred that the College had no common goods, except eighteen silver spoons, of recent make. The late Mr William Cranstoun had embezzled £10,000 of common property. A quarter of the cloisters and the great hall were ruinous. In short, the University, except for the Melvilles and one or two others, was a den of thieves, and college meetings must have been lively.

In 1597 a new commission "put at" Andrew Melville—unjustly, say James Melville and Dr M'Crie. Spottiswoode takes the opposite view, and so does the Blue Book of the period, recorded in the third volume of the "Commission on Scottish Universities" of 1837 (p. 197). "Mr Andrew Melville found by voting that he has not performed the office of a rector in the administration thereof, to the ruling and ordering of the University." He had not conformed to Act of Parliament and the reformed constitution. A new constitution was proclaimed. Robert Rollock and the useful Patrick Galloway, with Lennox and some local lairds and others, were in the commission. In 1597 Andrew Melville was not likely to get fair play. He was deprived of the rectorship. Mr Wellwood, a Melvillite, was also ejected. At that time, as in Glasgow still, there were examinations upon the "black stone." A seat with a stone in it still exists at Glasgow, a black capping stone at St Andrews. Is

this a relic of fetishism? James made presents of books, and it was thought desirable to have a library to put them in. St Mary's was in ruins, and the men lived in lodgings in the town. On the whole the University of St Andrews, though frequented by members of the noblest families, was disorderly, ruinous, impoverished, and rent by quarrels theological, political, and personal. This was not for want of learning. His worst enemies did not contest the erudition of Andrew Melville, and gentle King Jamie himself had more Greek and Latin than all the later occupants of the British throne could muster among them.

But the nature of the times did not permit the quiet necessary for academic life. Melville had to be fighting the battle of freedom in every direction. The University, like the State, was devoured by feuds political, religious, and personal. In an age of plunder it is clear that several of the authorities robbed the University, a practice which survived deep into the nineteenth century. The marvel is that, in these distracting circumstances, classical learning was so infinitely more abundant in Scotland than it is at the present day. If Arran, a soldier of fortune, had not only Latin but Greek in plenty, it is no marvel that men of less tumultuous lives were well read in the classics.

In poetry the Latin muse attracted the Scots much more than the muse of the vernacular. Melville was a considerable poet in Latin, so were Sir Thomas Craig, Sir Robert Ayton (a pleasing writer of English verse), Jonston, Hercules Rollock (an imposing name!), and Hume of Godscroft, the historian of the house of Douglas, a Protestant dealer in politics, an uncritical historian, but a very pleasant character. It is astonishing that Godscroft, living so near the time of the events, should believe, for example, that after Riccio's murder Morton returned from English exile before the birth of James VI. No reliance can be placed on Godscroft where "a Douglas or a Douglas's man" is concerned. But how amiably and with what fairness he writes on Mary Stuart:—"Concerning that princess, my heart inclineth more to pity. I see good qualities in her, and love them; I see errors, and pity them; I see gentleness, courtesy, humility, beauty, wisdom, liberality—who can but affect these? If they be carried to inconvenience who can but lament it? In that sex, in that place, in that education, in that company; a woman, a princess, accustomed to pleasure, to have their will, by religion, by sight, by example, by instigation, by

soothing, and approbation! Happy, yea, thrice happy are they who are guided through these rocks without touch, nay, without shipwreck." What more can history say about the unhappy queen? Darnley's murder is "that fact so lamentable, which I can never remember without affliction."

There were, doubtless, many gentlemen like Godscroft, humane, learned, and gentle; but they do not often appear among the political leaders or the infamous secondary characters of the political drama. Of the Archibald Douglases, John Colvilles, and Logans, of the spies, and traitors, and highhanded ruffians we know much, but little of those who, in an age of perfidy and violence, were eminent for benevolence and virtue. How the distracted Scotland, torn by family feuds, ungoverned, unpoliced, could ever have reached a milder civilisation, except by way of the union of the Crowns and English influence, does not appear.

NOTES TO CHAPTER XXI.

[1] Pitcairn, iii. p. 622.
[2] Privy Council Register, vi. 603.
[3] Spottiswoode, iii. 289, citing Register of the Privy Seal, lxxviii. 1609, 1610.
[4] Register of Privy Council, x. pp. 642, 643.
[5] Privy Council Register, x. pp. 630-633.
[6] Privy Council Register, vol. vi. pp. 856, 857.
[7] Haddington MSS.
[8] Haddington MSS.
[9] Register Privy Council, vol. x. Introduction, p. lxxxvi.
[10] Gordon Papers. Spalding Club Miscellany.
[11] Register Privy Council, xii., pp. v.-xiii.
[12] *Philotus*, 1603, Charteris, Edinburgh, and Bannatyne Club, 1835.

APPENDIX A.

THE CASKET LETTERS.

THE letters which Mary is said to have written to Bothwell, before Darnley's murder, and before her own abduction, were the only direct proof which her brother and (if she really was guilty) her accomplices could bring against her. When Mary surrendered at Carberry (June 15, 1567), and when the Lords had shut her up in Loch Leven Castle, utterly immured from the world, they needed something to justify their conduct in the eyes of Christian princes. What they needed they got with almost miraculous promptitude. On June 19 a servant of Bothwell's, named George Dalgleish, was sent by his master from Dunbar to Edinburgh Castle. Bothwell had stored his title-deeds and other objects of value in the castle, and had entrusted the command of the fortress to his creature and accomplice, Sir James Balfour, an elder of the Kirk, and, of old (1547), a fellow-captive of Knox in France. But, even before Carberry, Balfour had been won over from the cause of Bothwell and Mary by Lethington, who deserted Mary's cause just after she had saved his life from Bothwell. On the arrival of Dalgleish to remove Bothwell's property from the castle, information was sent to Morton, who was at dinner with Lethington. Then, according to Morton's sworn declaration, search was made for Dalgleish; he was found, was examined, and, on threat of torture, gave up a small silver-gilt coffer or casket, bearing the crown and cypher (F, in the new "Italian" hand) of Francis, Mary's first husband. On June 21 the box was broken open in the presence of Morton, Lethington, and various members of the Privy Council. A messenger, George Douglas, one of Riccio's murderers, was at once sent to carry a letter of Lethington's to Cecil, and a verbal narrative to Robert Melville, then representing both Mary and her opponents, at the Court of Elizabeth.

It is impossible to doubt that the verbal message was a report on the contents of the silver casket, which, on June 21, had been inspected by the persons who opened it. No reference is made to the subject in the minutes of the Privy Council of June 21, and no inventory of the contents of the casket was made, or, at all events, was produced. We have only Morton's word for the nature and number of the papers found, and for the fact that he preserved them without adding or taking away any article. At a later date, Randolph (October 15, 1570) avers that Lethington and Balfour opened a small coffer, "covered with green" (cloth or velvet) in the castle, and removed the band for Darnley's murder, and Drury mentions (in October 28, 1567) the same abstraction. This was done, if Randolph is right, in the castle, before the casket reached the hands of Morton, supposing it to be the same casket. The contents, as described by Morton, and as exhibited to the English

Commissioners at York and Westminster in 1568, were eight unsigned and undated and unaddressed letters, averred to be from Mary to Bothwell, two marriage contracts between them, and a sequence of love poems, more or less in the form of the sonnet. The Spanish ambassador in London, de Silva, heard from the French ambassador that, in June–July 1567, copies of the papers were given to du Croc (the French envoy with Mary) to take to France. Of these, no more is known; they have not been found in French archives, nor are they cited in French despatches. When versions of some of the letters were published abroad with Buchanan's 'Detection' (1571–1573) we never hear that the French Government made any allusion to the copies carried in July 1567 by du Croc. This must be remembered when it is suggested that, in 1568, a letter may have been shown, which differed from a letter alleged to have existed in 1567.

In July 1567, Throckmorton, then in Scotland, was informed by the Lords that they had evidence of Mary's guilt in her own handwriting. Again, de Silva, the Spanish ambassador, in July 1567, elicited from Elizabeth the statement that she did not believe in the letters, and that, in her opinion, "Lethington had behaved badly in that matter." I suspect that Robert Melville, who was much attached to Mary (though he was acting for the Lords), may have suggested these ideas to Elizabeth, on the first receipt of the news about the casket. It is plain that the Lords had really discovered the casket and some papers. The only apparent opportunity for tampering with them in any way, before they were seen by Morton on June 21, was that enjoyed by Sir James Balfour and Lethington, while the casket was still in the castle. Afterwards, of course, the Lords could do as they pleased, till May–June 1568, when Murray sent John Wood, with Scots translations of the letters, to Elizabeth. Whether she and Cecil, or others, saw these translations does not appear to be certain. If Cecil and Elizabeth did see these Scots translations, in the summer of 1568, and if these versions varied from those later produced, the reader must estimate for himself the chances that the English Queen and her minister would draw attention to the differences. In December 1567 the Scottish Parliament was informed that the Lords possessed guilty letters of Mary's "written and subscribed with her own hand." As the extant copies of the letters are not "subscribed" or signed, much has been built on this point by Mary's defenders. In the Act of Parliament the phrase "signed" or "subscribed" is withdrawn. The point is not worth wrangling about; the former statement, that the letters are "subscribed," is probably a mere misdescription. There was no difficulty in forging Mary's signature, had that been thought advisable by her accusers. It is not absolutely clear that the letters were inspected in this Parliament. We might gather that this was done from a later protest of the Lords of Mary's party (September 12, 1568). They speak of "her Majesty's writing produced in Parliament," and then go on to say that no "plain mention" of Darnley's murder is made in the letters, even if written by Mary's hand, which they are not. Moreover, "some principal and substantial clauses" have been garbled by the accusers. This is very obscure. The letters are not in Mary's hand, yet, if only some clauses are garbled, the substance, though not in the Queen's hand, is apparently admitted to be of her composition. The argument seems to be that the accusers, possessing genuine letters of Mary's, have had the substance copied in imitation of her writing, with additions and alterations. The Lords, it seems, could only assert all this, if they had seen and read the letters, in Parliament. If they did, and if, when the letters were published in 1571–1573, they varied from the letters read in Parliament, we might expect Mary's friends to point to the variations as a proof of dishonest usage. We do

not find that this was done. But it is conceivable that the protest of Mary's Lords, in September 1568, was worded by Lesley, Bishop of Ross.

Mary had denied the authorship of the letters, and asserted that there were men and women in Scotland, "and principally such as are in company with themselves," who could counterfeit her hand.[1] Her Lords *may* have put forth their plea without having inspected the letters closely, but the letters were certainly produced in Parliament, whether studied there or not. And there is no later trace of any hint, on Mary's side, that either the copies given to du Croc, or those produced in Parliament, were not identical with the letters afterwards printed and published. Lesley, or any other pamphleteer on Mary's side, if in possession of copies of the letters as produced in Parliament in 1567 (which he may not have been), ought to have insisted on any changes in the letters as later published. That this was never done is a powerful though perhaps not necessarily a conclusive argument against a theory now to be mentioned. There are traces of the existence, in 1567 and 1568, of a letter attributed to Mary by her enemies, at that time, but never produced by them.

This curious matter stands thus: Murray was in France at the time of the discovery of the casket—June 20-21, 1567. On July 8, 1567, Robert Melville, who had returned to Scotland, sent one John a Forret to Cecil. John is to go on to Murray, and a packet of letters for Murray is to be forwarded "with the greatest diligence that may be." It once occurred to me that John a Forret might be John Wood, a great ally of Murray, but more probably he was Forret of Forret in Fifeshire. Murray arrived from France into England on July 23. He saw de Silva, the Spanish ambassador, who on August 2 wrote to Philip of Spain.[2] De Silva says that Murray told him something that he had not told even "this Queen" (Elizabeth). Mary, he said, was certainly cognisant of Darnley's murder. Murray then cited what, he declared, he had heard about a letter of Mary's "from a man who had read it." Here we have only de Silva's report of Murray's oral version of an oral account of a letter of Mary, as given by a man who "had read it." One might suppose that in the packet of letters sent to Murray from Scotland, on July 9, would be transcripts of the Casket Letters opened on June 21. To send to Murray a mere oral report in a messenger's memory seems a strange proceeding. However, de Silva's account of Murray's repetition of the other unnamed man's version of a letter which he "had read" exactly answers, in essentials, to Lennox's account, written in 1568, of the same letter.

It is not likely to be denied that Lennox, in 1568 (say July or August), and Murray, in July 1567, have a common source for their description of a letter never produced against Mary. In that source, Mary is represented as arranging the explosion at Kirk o' Field for the night of Bastian's marriage. She is made to use the "dispatch" of Bothwell's wife, by poison, or divorce. In both versions, there is danger that Darnley's "fair words" will make her relent. Murray does, and Lennox does not, speak of a design to poison Darnley at a house between Glasgow and Edinburgh. Lennox does, and Murray does not, make Mary say that she wishes Bothwell "in her arms," a phrase which occurs in Casket Letter ii. The other items quoted occur in no Casket Letter. Whence did these items come? Possibly Murray, in July 1567, told to Lennox—but more copiously—what he had told to de Silva, that is to say, a report, from memory, of an oral report, from memory, by a man who, having read Casket Letter ii., made divers fanciful and exaggerated additions. That is conceivable, strange as it may seem that the Lords, when writing to Murray, on July 9, 1567, did not send transcripts of the Casket Letters, but trusted to the memory of a messenger. In that case,

Lennox, in July 1567, may have at once written down what Murray told him, and copied it out in a document of a year later. Lennox's document of seven folio pages is undated. I put it about July or August 1568, partly because it purports to be an *indictment* of Mary's conduct towards Darnley. It is in English, with corrections in Lennox's own hand, it is not in Scots. It is the first of a series of similar documents, of which the last was read by Lennox to the English Commissioners at Westminster in December 1568. It may be urged that the document, like a large memorial picture of Darnley's murder, painted for Lennox in the beginning of 1568, is a mere record, which he might write for English readers at any time earlier than July-August 1568; and on no better evidence as to the letter than Murray's oral report.

The reply to this is that Lennox's long document contains divers strange "sayings and speeches" of Mary to her closest personal attendants. Now, as late as June 1568, Lennox was writing to ask his friends to collect "the sayings of her servants and their reports." When he wrote the long paper in which he cites the letters attributed to Mary, *he had got* the "sayings and speeches" for which he was writing, from Chiswick, on June 11, 1568. Some delay must have occurred before he received these reports from Scotland, because the letter of June 11, in which he asks for them, was intercepted by Mary's party, and now occurs among the manuscripts of the house of Hamilton. It follows that the vast paper in which Lennox cites the letter attributed to Mary by Murray, but never produced, cannot be earlier than July 1568. Still, it may be said, Lennox may be only quoting Murray's verbal communication of July 1567. It may be so, but, even by June 11, 1568, Lennox was in company with, and was working with, Murray's agent, John Wood, who had in his keeping Scots translations of the Casket Letters. In writing to Scotland, on June 11, 1568, Lennox employed Wood, or his secretary, as his amanuensis. This is clear, for, on June 12, Wood wrote letters to Scotland from Greenwich, and those letters are in the same hand as Lennox's epistles of the previous day.[3] Thus we see that, before Lennox wrote his paper of seven pages, against Mary, in which he cites a letter attributed to Mary, but never produced against her, he was in close contact and collaboration with Wood, who had the Scots translations of the Casket Letters, as they then stood, in his possession. Is it likely that he did not communicate their contents to his ally, Lennox, the father of Darnley? If he did, Lennox quotes a letter then officially attributed to Mary, a letter which, though of essential value to the prosecutors, was later dropped by them. It was either too bold a forgery, or implicated some of the guilty men who became Mary's accusers.

That a letter attributed to Mary, and containing matter not to be found in any of the Casket Letters, really did exist, may be inferred, not only from the citations of Murray and Lennox, but from the 'Book of Articles.' This is the long indictment of Mary, whereof the manuscript is now in the British Museum: it was published by Mr Hosack. We have seen, in the text, that no endorsement nor authentication proves this document to contain the "articles" produced against Mary at Westminster, in December 1568. It *is* an arraignment of Mary; it *is* in an official Scottish hand of the period, recognised by Mr Bain as that of Alexander Hay, clerk of the Privy Council. If this be not the official and final indictment of Mary, no other is known to exist (except a draft in the Cambridge MS.). To reject the Book of Articles as dubious and unofficial is, perhaps, to show a scepticism not wholly unbiassed. In any case the document avers that Mary, "from Glasgow, by her letters and otherwise, held Bothwell continually in remembrance of the said house," namely, Kirk o' Field. Now, in the Casket Letters, Kirk o' Field is never once

mentioned. The writer says that she is bringing Darnley to Craigmillar, "if I hear no other matter of you" (Letter i. English translation). "He is to take physic at Craigmillar" (Letter ii. English translation). The only hint that might be regarded as pointing to Kirk o' Field is "of the ludgeing in Edinburgh," one item in a list which is found in the Scots but not in the English version of Letter ii. On the other hand, the letter described by Murray and Lennox does allude to "the house where the explosion was arranged," to "finishing the place and everything as they had desired." Now the writer of the "Articles" had Letter ii. before him, yet, like Lennox in his long paper of seven pages, he insists that Mary's letter kept harping on "the house in Edinburgh," which, in the Casket Letters, she does not, though, in the Murray-Lennox version, she does. Therefore the writer of the "Articles" had seen a Casket Letter, never produced, a forgery.

This matter of a letter, cited by Murray and Lennox, and clearly present to the mind of the writer of the Book of Articles (whether that be final and official or not), is an example of the delicately balanced problems in the case. Did Murray and Lennox cite a forged letter? Did they merely repeat, at a long interval, the same confused and exaggerated oral report about a letter? In questions like these, disputants will vote according to their prepossessions, or will reserve their judgment. The letters may be genuine throughout, but nobody who has watched the conduct of Mary's opponents will be apt to deny that they were capable of forging, garbling, and suppressing documents. Some topics, causes of much ingenious writing, may be brushed aside. The letters produced as Mary's were certainly in French, and not in the French of the versions later published in France, these being translations from the Scots versions, or from the Latin versions of the Scots versions. This is proved by extant copies of the original French at Hatfield, and in the Record Office.

Again, as to the dates: The chronology of Letter ii. cannot be made to fit with the list of dates and events in the paper called "Cecil's Diary." But it is always a possible, though a rather desperate argument, that "Cecil's Diary," or 'Journal,' is not official; that the prosecutors had a better scheme of chronology—which has vanished like their hypothetical better Book of Articles. Moreover, I have elsewhere worked out a plausible system of dates for Mary's movements, into which the Glasgow letters (i., ii.) easily fit. Again, the internal chronology of Letter ii., written on two nights, is dislocated. But this, as I have shown, may be easily explained if we suppose Mary, on the second night, to have written by accident on the clean side of a piece of paper, whereof the verso contained some lines written on the previous night, but left standing by the translators.[4]

There remains the difficulty about Crawford. He was in attendance on Darnley during Mary's visit to Glasgow. On December 9, 1568, he put in, before the Commissioners at Westminster, a deposition, done into English out of a version written by him in Scots. It contained, first, a report of a conversation between Crawford himself and the Queen, as she was about to enter Glasgow; next, a report of a private talk between Mary and Darnley. This talk Darnley repeated to Crawford at the time, and Crawford swore that he *then*, at the moment, wrote it out for Lennox. On June 11, 1568, Lennox wrote to ask Crawford for the *first* part of this deposition (made on Dec. 9, 1568), namely, as to the talk between himself and Mary. This part Crawford in January 1567 did not *write*, but told to Lennox, if he communicated the fact at all. For the second part, the conversation between Mary and Darnley, Lennox did not ask. The inference is that Lennox already possessed the document which Crawford swears to having made "immediately at the time," that is, about January 25, 1567. Now

Crawford's accounts of the two conversations are so verbally identical with these which Mary is made to give to Bothwell in Casket Letter ii. that Crawford's and Mary's versions must have one common source. Either Crawford borrowed his facts and phrases from Letter ii., or Letter ii. is, so far, a forgery based on what Crawford wrote for Lennox in January 1567, and on what he wrote in answer to Lennox's inquiries of June 11, 1568. What he then *wrote*, in 1568, having probably told it orally to Lennox in 1567, tallies *verbally* with the corresponding passage at the opening of Letter ii. Therefore it seems that all this portion of Letter ii. is forged on the model of Crawford's statements. If Crawford did not deliberately perjure himself, if he really did write an account of the conversation between Darnley and Mary in January 1567, if he gave it to Lennox, for whom it was written, and if Lennox kept it (we have seen that he asked for nothing of this kind when collecting information in June 1568), then Letter ii. contains elements of forgery. The two Glasgow letters are much the most important. What difficulties obscure our view of them we have made apparent.

Of the other letters, one (iii.) implicates Mary in an alleged but very dim attempt to embroil Darnley with her brother Robert. Another (iv.) concerns a maid about her person, who, if not carefully treated, may reveal something. Letters v., vi., vii. were written, or we are to suppose that they were written, in April 21-23, 1567, and bear on Bothwell's abduction of Mary. Of these, vi. is suspiciously like a mere *précis* of a long excuse of Mary's conduct, written in Scots, probably by Lethington, and sent to the Bishop of Dunblane, then in Paris, in May 1567.[5] Letter viii. fits into no known moment in Bothwell's relations with Mary, and is written in an affected or alembicated style, not customary, perhaps unexampled, in her epistles. On the side of the authenticity of parts, at least, of the letters, is the tone of humility and dependence which Mary later adopted, in her letters to Norfolk, when he and she intended to marry. The expressions of remorse and loathing of her task, in Letter ii., also seem almost beyond the power of a forger to conceive, but many critics are of an opposite opinion. Our impressions are merely subjective. As to the sonnets, it is not easy to guess when, if genuine, they were written. To an English reader their passion appears overpoweringly natural and unfeigned, and their inartificial laxity and roughness may be the result of rapid and excited composition. On the other hand, a French critic, Monsieur de Wyzeva, avers that, to a French ear, the "tone" is not French, and that both sonnets and letters are the work of a person who *thinks* in English (or Scots); also that this "tone" is not that of Mary's genuine writings in the French language. These are impressions which a foreigner cannot criticise.[6] As to the question of the possibility of forging, without detection, the handwriting of the Queen, the letters were never submitted to experts—merely to a throng of English Lords in the course of a short winter day. In the case of the Logan-Gowrie letters (Appendix, pp. 569-575), we find such an extraordinary example of skilled forgery, by a rural practitioner in a small way of business, that a successful imitation of Mary's large Italian hand seems well within the resources of the art. Examples which, probably, would deceive any modern critic, were designed by Mr F. Compton Price, and are published in the author's "Mystery of Mary Stuart." It seems possible that even if the original Casket Letters were to be discovered and compared with Mary's authentic handwriting, we might come no nearer to a solution of the problem; though, in the Logan case, the forgery is detected.

Here we must leave this much debated question, on which conviction can hardly, perhaps, be attained by a perfectly fair and unbiassed student. As the evidence stands, the letters could not be founded on by a jury; and the author

himself, while unable to reject the testimony of all the circumstances to Mary's guilty foreknowledge of, and acquiescence in, the crime of her husband's murder, cannot entertain any certain opinion as to the entire or partial authenticity of the Casket Letters. Mary was never allowed to see the originals. Her denials were persistent. Yet, if guilty, there was no reason why she should not deny much more openly, loudly, and pertinaciously, above all, after the death of Paris, the alleged bearer of the missives (August 1569). He was gone; he could not be heard; and his confessions were not produced against the Queen, but were deliberately suppressed by Cecil. In 1582 Mary was declaring the letters to be forgeries, and was anxious to procure them. Bowes, too, the English ambassador, was attempting to obtain the letters for Elizabeth, "for the *secrecy* and benefit of the cause." Why "secrecy"? The letters were in the hands of the Earl of Gowrie: he would not give them up; he was executed for treason in 1584, and we hear no more of the letters and the casket.[7] "Secrecy," so desirable, may, of course, here mean secrecy from friends of Mary who were anxious to destroy the letters. But it may also mean that the more they were known, the less would they injure Mary or benefit Elizabeth. Thus, to every inference there is always a counter inference, and the business of the historian is to state each, and rely on neither of the alternatives.

[1] Goodall, ii. 342, 343, 388, 389.
[2] Spanish Calendar, i. p. 665.
[3] See abstracts of all these letters in Maitland Club Miscellany, vol. iv. p. 119.
[4] Cf. Mystery of Mary Stuart, chap. xiv.
[5] Labanoff, ii. pp. 32-44.
[6] Revue des Deux Mondes, 1902.
[7] Bowes' "Correspondence," pp. 236-265.

APPENDIX B.

LOGAN OF RESTALRIG AND THE GOWRIE CONSPIRACY.

ON or about April 19, in the year 1608, a notary of Eyemouth, named George Sprot, was arrested. Of the circumstances we only hear vaguely, from Calderwood and Dr Abbot, later Archbishop of Canterbury, that Sprot had been babbling about his knowledge of the Gowrie Conspiracy. We have no official mention of Sprot till July 5, 1608. On that day he wrote a letter of confession to the Earl of Dunbar (Sir George Hume), who was in Scotland on the business of the Kirk. This letter, with the whole of the documents in Sprot's case between July 5 and August 12, the day of his execution, are in the muniment room of the Earl of Haddington, and have remained unknown to our historians.[1] The ancestor of Lord Haddington, in 1608, was Sir Thomas Hamilton, King's Advocate, one of the Octavians of 1596, an eminent historical scholar and collector of MSS. As to what befell the imprisoned Sprot between April 13 and August 5, we know from the Haddington MSS. that he had lain in the "laigh house" or dungeon on the basement of the Tolbooth, "a loathsome hole," that he had often been examined, and that he had declared Logan of Restalrig innocent of writing certain

treasonable letters, apparently in his hand, which were found on Sprot's person, among his papers, or were given up by Ninian Chirnside of Whitsumlaws. On July 5, in his letter to Lord Dunbar, Sprot maintains that Restalrig *was* in the Gowrie Conspiracy, that he himself had a guilty knowledge of it, but that he forged the Logan letters as to the plot—that is to say, *the letters then in the possession of the Government.* Sprot, as we learn from Calderwood, had, at first, admitted the genuineness of the letters, and later, under torture, had declared them to be forged.[2]

The peculiarity of this passage in Calderwood is that it has its basis in a manuscript, of unknown authorship, now in the Wodrow MSS. in the Advocates' Library in Edinburgh (vol. ix. Rob. iii. 2, 9). The later historian and collector, the Reverend Mr Wodrow, who lived under William III., Anne, and George I., has marked this as "MS. History of the Church of Scotland from 1581-1641, I know not by whom." It is not in Calderwood's handwriting, but in another hand of the period, and is a kind of diary of events. The passage referring to Sprot is correctly printed in Pitcairn, ii. 275, but is incorrectly described as "a curious fragment." "It is evidently written," says Mr Pitcairn, "by some one who entertained ideas unfavourable to the reality of the Gowrie Conspiracy." On comparing the excerpt (not "fragment") in Pitcairn with the passage in Calderwood (vi. pp. 778, 780), it becomes certain that Calderwood's source was the anonymous manuscript now in the Advocates' Library. He takes whole passages out of it, with a few verbal changes and transpositions of sentences, all this without acknowledgment. But when he arrives at the description of the hanging of Sprot, he not only deserts but contradicts his authority, introducing new matter of his own, without giving his sources for *that*. Thus, his MS. source, the MS. in the Wodrow MSS., declares that, on the scaffold, Sprot "maist plainlie confessit, that he had nather promise of lyf, nather rewaird to his wyf and bairnis efter his deceas. . . ." Calderwood (who must have read this in the MS.) writes, "Notwithstanding Sprot's confessions, so many as did not believe before were never a whit the more persuaded, partly because he was a false notary, and could counterfeit so finely men's hand writs, for which cause he was worthy of death; *partly because benefit was promised to his wife and children by the Earl of Dunbar*, and had suffered both death and torments as a false notary."

Calderwood appears to myself to be stating these circumstances, not as facts, but as the arguments advanced by the sceptics who had to excuse their disbelief in a dying confession. After the Gowrie tragedy, Mr Robert Bruce had professed himself ready to believe the King's account, if Henderson were hanged, and adhered to his statements on the scaffold. Now Sprot did adhere to his, but, not wishing to believe them, resolute Presbyterians appear to have alleged (1) that Sprot really suffered as a forger of an every-day kind; (2) that he was induced, by promise of reward to his wife and family, and as he had to die in any case, to make a false confession, on the scaffold, of the Gowrie Conspiracy. Calderwood therefore suppresses the statement of his MS. authority that Sprot denied this promise of reward, on the scaffold. This denial is not elsewhere stated in the official descriptions. But the earlier part of the account in Calderwood's MS. authority is also absent from the official versions. *That* part Calderwood accepts, and reproduces as his own; what does not suit him, in the same MS. authority, Calderwood burkes and contradicts. Moreover, not a word, in the Haddington MSS. (which are private and candid), hints that Sprot was arrested for, or examined on, or condemned for, general crimes of forgery. He was arrested with pseudo-Logan papers actually in his "pocquet," and his examina-

tions turned on no other point. So much for Calderwood. Mr Barbé, in his "Tragedy of Gowrie House" (125-131), accepts both the MS. in the Advocates' Library and Calderwood's account of "promise of benefit" to Sprot's family, without observing that Calderwood cites the MS. where it suits him, and ignores and contradicts it—always without quoting his sources—where it does not suit him. The official statements about Sprot's evidence are falsified and garbled, but Calderwood's version, when analysed, is not irreproachable. But, of course, he is not to be censured severely. It was then unusual to cite authorities, and he may have thought that his information was better than that of his author. At last, on July 5, and in subsequent examinations, Sprot averred that the letters in possession of the Council were impostures, but that Logan's share in the plot, and his own guilty foreknowledge, were actual facts.

The only letters in the case hitherto known to history are five; the originals were found by Mr Pitcairn, in the Warrants of Parliament, and were published by him in the second volume of his 'Criminal Trials in Scotland.' They were also copied into the record of the proceedings of the Scottish Parliament of November 1609. Of these five letters, dating from between July 18 and the last of July 1600, Nos. i., iii., and v. are, to one or more unknown persons, addressed as "Right Honourable Sir." One (ii.) is to James or "Laird" Bower, a retainer of Logan. One (iv.), dated July 29, 1600, is to the Earl of Gowrie. These letters indicate frankly that Logan and his correspondents are engaged in high treason. Failure means death, forfeiture, and extirpation of the names of the associates. The scheme, whatever its details, is based (according to the letters) on an incident which occurred, or a romance which was in circulation, at Padua, where Gowrie had been a scholar (1595-1598?). These five letters have been accepted as authentic beyond doubt by Mr Hill Burton and Mr Tytler, though Mr Mark Napier and others proved that they were in the highest degree suspicious. The confessions of Sprot, in the Haddington MSS., allege that Letters ii., iii., and v. are forgeries, while i. is doubtful, and only iv. (Logan to Gowrie, July 29, 1600) is admitted by him as genuine, and as his model for the fraudulent imitations. That even one letter was admitted to be genuine, Calderwood did not know. If accepted, Letter iv. suffices to establish the guilt both of Gowrie and Logan, but, as we have it, letter iv. is a forgery, whether the substance be copied from a real letter by Logan or not.

The reason why Sprot forged the three certainly fraudulent letters, and a number of others never publicly produced, was a purpose of extortion. After 1600, Logan of Restalrig sold all his estates, although the records of "hornings" for debt, in the "Register of the Privy Council," never show that he was pressed by creditors. Already, in 1596, he had sold his estate of Lower Gogar. This haste to get rid of landed property after 1600 must have aroused the suspicion that Logan feared forfeiture, in consequence of some treasonable enterprise; and that, probably, the Gowrie affair. Logan was of ancient family; he was of royal descent; his lands were Restalrig, near Leith, Flemingtoun (with a house, Gunnisgreen, near Eyemouth), and Fastcastle, a fortress of great strength, on a perpendicular cliff of the Berwickshire coast, above the northern sea. The possession of this impregnable fortalice, in a region still roadless, made Logan a useful ally in a conspiracy. His life had been passed in conspiracies. A half-brother of Lord Hume, a cousin of the Master of Gray, and of the Ogilvys and Sinclairs, a friend of the family of Gowrie's Mr Thomas Cranstoun, Logan belonged to the clique of Archibald Douglas, and the other Whittingham Douglases, the Laird of Spot, John Colville, Ninian Chirnside, and all the southern partisans

of the adventurous Francis Stewart, Earl of Bothwell. In 1586 Logan was one of the packed jury which shamefully acquitted Archibald Douglas of a part in Darnley's murder. In 1592-1594, when Bothwell was chasing the King like a partridge on the mountains, Logan was his abettor, probably harboured him at Fastcastle, and was denounced rebel for his pains. When Bothwell joined the Catholics, and deserted the Kirk, Logan did not abandon the renegade, but associated with and harboured George Ker (of the Spanish Blanks), and the Jesuit, Father Andrew Clerk. In 1599 he was charged not to yield Fastcastle to the King's rebels or enemies, and in 1599 Cecil was inquiring of Lord Willoughby, at Berwick, as to his character and position. Logan had been a pirate; a Queen's man in the castle during the last agony of Mary's party; an associate of Gowrie's after the raid of Ruthven; a spy of Walsingham's (1586-1587); an accomplice of all the perfidious Douglases of Spot and Whittingham, and Mowbrays of Barnbogle; and, as we saw, an ally of Bothwell when Bothwell was an ally of Atholl, and of the Gowrie of the Gowrie tragedy. He was also *lié* with Lord Willoughby and Sir John Guevara at Berwick, the kidnappers of Richard Ashfield (1599).

With this record, it may be judged whether Logan was an unlikely man to be a conspirator. He was a neighbour to Gowrie's castle at Dirleton, close to the sea, near North Berwick, and within a short sail of Fastcastle. The lands of Dirleton (according to Sprot) were to be Logan's if the conspiracy succeeded. When we remember that, in April 1600, Nicholson had announced to Cecil that a plot by Archibald Douglas, the Laird of Spot, and John Colville was in hand; when we add that Colville and Gowrie were both in Paris in the early spring of 1600, while Bothwell was reported to have arrived secretly and to be skulking in Scotland, it may be granted that Logan was apt to be concerned in whatever enterprises of a treasonable nature were on foot. The Gowrie conspiracy failed; Logan sold his lands (this is certain), and went partners with Lord Willoughby in a ship, wherein, Sprot says, he meant to sail to "the Indies." By 1605 Logan had sold all and was a landless man. Lord Balmerino and Lord Dunbar, the purchasers of his estates, owed him 33,000 marks on the price. In September 1605 Logan went to London to try to get his money, in which he failed. He then visited France, returned in 1606, to find Bower, his trusted old servant, dead; and he died himself in Edinburgh in July 1606. His elder children, by his first and second marriages, refused to "give up the inventory" of his estate. His heir was a girl, of about four or five years of age, born of his last marriage, and the main part of her property was the money owed to her by Dunbar and by Balmerino, who, in 1608, fell from power, and was a dying prisoner.

In these circumstances, the propriety of robbing the orphan was conspicuous to all. Sprot not only destroyed the acknowledgments of debt to Logan's heir by one Heddilstane and by Ninian Chirnside (Logan's most intimate friend, and a trusted retainer of Bothwell), but he forged the Logan plot letters, ii., iii., v., and perhaps i., and a number of other compromising papers and letters, in an imitation of Logan's hand. These forgeries Sprot sold to Heddilstane, Ninian Chirnside, the Goodman of Rentoun (Home), and others. They were to exhibit the forged documents as genuine to Logan's executors, and so terrify them into forgiving the debts owed by Logan's surviving friends to his daughter. The whole of the dead Logan's possessions would be forfeited if his connection with the Gowrie plot came to light, and thus the forged papers were much coveted by Logan's friends and debtors, and were a source of revenue to Sprot. This branch of the notary's business was, of course, destroyed by his arrest in April 1608. In July, Dunbar,

says Calderwood, following his MS. authority, came to Scotland, "and caused take the said George Sprot out of ward, and cure his legs, bruised with the boots." Sprot now, on July 5 and later, confessed that the plot was a genuine plot, that Logan was engaged in it, that he himself had guilty foreknowledge, announced that he knew he must die, and deserved to die, but maintained that the plot-letters and other compromising papers, *then before the Privy Council*, were all forgeries. His own words are, "I confess to my own shame and God's glory, I formed and framed them all to the true meaning and purpose of the letter that Bower let me see" (Gowrie's first letter, merely asking for an interview with Logan), "to make the matter the more clear by these arguments and circumstances, for the cause I shewed to the Lords," that is, for purposes of extortion. The letter of Gowrie had been shown by Bower to Sprot "with a direction that he got from the Laird to come to him in haste for to ride in his commission to the Earl of Gowrie concerning the lands of Dirleton" (Logan's reward), "which direction to Bower is among the rest of the letters produced." Thus, on July 5, Sprot confessed that Gowrie's harmless first letter to Logan was his source, but he obviously includes what he says he knew of Logan's hope of getting the lands of Dirleton.

The letter about them (ii.) Sprot almost certainly forged, on oral information from Bower. But, as certainly, Sprot, in the recorded confessions, never mentions Letter iv., from Logan to Gowrie, till August 10. Under examination, Sprot cited the first letter of Gowrie to Logan (July 6, 1600), in which Gowrie says that Logan understands his purposes, and asks for an interview. Sprot cited various witnesses to corroborate some of his statements, but they all, very naturally, refused to corroborate, and Chirnside, with others, was long "warded" in prison. So far, the Privy Council had no valid evidence before it; only rumour, Sprot's word, contested and often demonstrably false, and the letters and papers which were confessed forgeries. On August 9 Sprot was told that he must die, and that he should see the faces of the Lords no more. He repeated that his confessions, since July 5, were true, and, in his own hand, subscribed the record of his confession "in the presence of God and his messengers, auditors hereof." The messengers of God were the Bishop of Ross, with the King's preacher, Mr Galloway, and Messrs Hall and Hewat, ministers of Edinburgh. Sprot was to see the Lords no more, but he must have sent to let them know that he had more to divulge. On the 10th of August the Lords and ministers visited him again, and, after a prayer made by Mr Galloway, he was asked, "*Where is that letter which Restalrig wrote to the Earl of Gowrie, whereupon the said George Sprot wrote and formed the missives produced?*" This must refer to some unrecorded statement just made by Sprot, for *this* letter, the now confessed model of Sprot's forgeries, has never hitherto been mentioned. In his written confession of July 5, he said that he forged the papers "to the true meaning and purpose of the letter that Bower let me see," meaning either Gowrie's first and not compromising letter, or Logan's letter to Bower, or both (No. ii.). Never before August 10 has Sprot mentioned a letter of Logan to Gowrie, as known to him, or as his model. That letter is a new feature in the case, and, on August 10, was not in possession of the Council.

Sprot was asked point-blank, after Mr Galloway's prayer, where the letter was now. He first gave an account of how he found it, unfinished, behind a bench and the wall, at Fastcastle. He must have meant Gunnisgreen, for the letter bears that date, unless, as Logan (in Letter iv.) says that he wrote it "on two sundry idle days," he began it at Fastcastle, and finished it, and, at the end, dated it, from

Gunnisgreen. But Gunnisgreen was quite close to Eyemouth, where Sprot lived, and he is unlikely to have been at Fastcastle. Sprot went on to say that, months after the conspiracy, Logan bade Bower, who kept all his papers, find and bring him this letter, which had been returned by Gowrie, through Bower, according to their method of correspondence. Bower, who could not read, asked Sprot to help him to find the letter. Sprot found it, told Bower that he could not find it, and carried it off *till* on this Letter iv., as a model, he forged all the rest. Now this is so far true: any reader of Letters iii., v., and a torn letter in the Haddington MSS. must see that they are all mere copies of Letter iv. Except in what personally applies to Gowrie, Letters iii., v., and the torn letter say nothing that is not in Letter iv. The case of Letter i. is dubious, for reasons too minute to be discussed here. Sprot now quoted Letter iv. (Logan to Gowrie), *from memory*, recognisably, but not correctly. Asked if he was at last speaking the truth, as a man under the very shadow of death, Sprot vowed to God that he was. Again required to say where the letter now was, he said that "he believes it is in his kist" (chest), sealed ("closed"), "and folded in a piece of paper." Search must have been instantly made at Eyemouth for this letter, which was probably in a secret compartment of Sprot's "kist." On August 11, at a certain hour, the Council had neither the letter nor a copy of it, for Sprot now recollected, almost correctly, a passage which he thought was in a *postscript*. This he would not have done had the letter, or a copy of it, been accessible, for really, the passage is in the *body* of the Letter iv. Sprot was to die, and did die on August 12. At a certain hour on August 11 the letter had not yet arrived, for, by racking his memory, he recovered, though incorrectly, more of its contents. But before he was hanged, Sprot endorsed, in his own ordinary hand, a copy in his "course" or current hand, of Letter iv., and another of Letter i. Now Lord Cromarty, writing in 1713, at the age of eighty-three, tells us that the Sheriff-depute was instructed to search for this letter (iv.), that he found it, and that he gave it to Sir Thomas Hamilton. The copy, endorsed by Sprot, a copy not before the Council at a certain hour of August 11, was doubtless found with the alleged original (in Logan's hand or an imitation of it) of Letter iv. This endorsed copy is still in the papers left by Sir Thomas Hamilton.

Thus Letter iv., unlike the rest, is alleged by Sprot to be genuine, and the model (as it undeniably is) of his forgeries. In my opinion, Letter iv. is, at least in substance, genuine, and it suffices to prove Logan's acquiescence in Gowrie's plot. The reader who is in doubt may read the letters and form his own opinion. It does not follow, if the substance of Letter iv. be genuine, that the handwriting is Logan's. It is certainly not Logan's, but the hand of Sprot, counterfeiting that of the Laird of Restalrig. Sprot's confession of August 10 is that, after surreptitiously reading the first part of Logan's unfinished letter to Gowrie, and after, later, seeing Gowrie's first harmless letter, he put two and two together, and conceived suspicions. He later stole Logan's letter to Gowrie (iv.), "which letter he retained *till* he framed three new letters upon it." He may have then returned the genuine Letter iv. to Bower, as if he had found it in a new search among the papers, after he had copied it, in a forgery of Logan's hand. That copy may be our Letter iv., genuine in substance, but not in handwriting. This theory would account for the firmness of the writing, the slip in spelling "protection," and so on. The substance of the letter, from internal evidence, I believe to be Logan's, but this is a matter of opinion.

On August 12 Sprot was hanged, after confessing his guilt from every corner of the scaffold, and singing a psalm. This dying confession of his own, of

Logan's, and of Gowrie's guilt (in which nothing about the letters is reported) was trying to Presbyterian sceptics. They were wont to say that they would believe in a *dying* confession. But it did not suit them to believe in Sprot's, and Calderwood treated the case in the way we have explained.

But Archbishop Spottiswoode, who was present at Sprot's *public* trial on August 12, and at his death, believed him to be an hysterical self-accuser.[3] The man never showed the letter, says Spottiswoode. He did, but Spottiswoode was kept in the dark. Government, in the indictment of Sprot, and in a tract officially published (both are in Pitcairn), said not a word about any letters being produced. They garbled and falsified the facts, they cited Gowrie's first letter (never found at all), and Logan's letter to Gowrie (iv.), as quoted by Sprot *from memory*.

In June 1609, the dead body of Logan was tried, before the Lords of the Articles, for treason. The Lords, who were sceptical at first, convicted the dead man. They were converted to a belief in his guilt, when the prosecution produced the Five Letters, of which Sprot had confessed that three, or perhaps four, were forgeries, Letter iv. alone being genuine. Seven honourable witnesses, who knew Logan well, produced real letters of his, and compared them with the Five Letters, in which no difference of handwriting or of spelling could be detected. The case is precisely similar to the Hampton Court comparison of Queen Mary's letters with the Casket Letters. By virtue of this conviction Logan's heirs lost all their inheritance, and Lord Dunbar was not obliged to pay the 18,000 marks which he owed to Logan's estate. All the documents of the trials, as *officially published*, are in Pitcairn, vol. ii. pp. 256-293. On these transactions, so long concealed, it is needless to offer any commentary.

As to the guilt of Logan with Gowrie, the evidence of Sprot is tainted, and not fit, in daily life, to go to a jury. After July 5 he lied variously to conceal his possession of our Letter iv. He confessed to it when death was absolutely certain. Yet that long-concealed letter, as it stands, is pronounced by experts to be as much a forgery as the others. How is the conduct of Sprot to be explained? He confessed to the plot, and to his guilty knowledge, which carried his doom. Government was sure to hang him, not so much for the crime, as to present a dying confession to the godly sceptics. But why did Sprot admit that he had forged the letters? If he had any faint hope of life, his chance lay in giving the Government documentary evidence. This he refused. And why did he keep back Letter iv. till death was absolutely certain? Why did he then give it up, and aver that it was genuine, whereas modern experts condemn it with the rest? A study of the Haddington MSS. leads me to the opinion that Logan was really in the plot, and the internal evidence, the contents of Letter iv., confirms that belief. But all this is opinion, not knowledge.

[1] A brief abstract is given in Sir William Fraser's Memorials of the Earls of Haddington, vol. i. 1889.

[2] Calderwood, vi. p. 779, *bis* (779 is printed twice by error).

[3] Spottiswoode, iii. pp. 199-200.

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